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I

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RALPH LANE (better known as Norman Angell), 4 King's Bench Walk, Temple,
London, E. C., England.
CHRISTIAN L. LANGE, 251 Avenue de Longchamps, Uccle-Brussels, Belgium.
V. A. MAKLAHOFF, Taurich Palace, St. Petersburg, Russia.
HENRI MONNIER, La Chaux-de-Fonds, Switzerland.
FELIX MOSCHELES, 80 Elm Park Road, Chelsea, London, S. W., England.
LUDWIG QUIDDE, Gedonstrasse 4, Munich, Bavaria, Germany.
THÉODORE RUYSSSEN, rue de Lyon, Bordeaux, France.
E. SÉMÉNOFF, Manejny 16, St. Petersburg, Russia.
SANCHEZ DE SILVERA, 8 Avenue Pasteur, Nantes, France.
SULIMAN-BUSTANI-EFFENDI, Chamber of Deputies, Constantinople, Turkey.

Agencies of Propaganda

AMERICAN PEACE SOCIETY,
Secretary, Benjamin F. Trueblood, Colorado Building, Washington, D. C.
AMERICAN ASSOCIATION FOR INTERNATIONAL CONCILIATION,
Secretary, Frederick P. Keppel, Sub-Station 84, New York City.
LE BUREAU INTERNATIONAL PERMANENT DE LA PAIX,
Director, A. Gobat, Canonenweg 12, Berne, Switzerland.
L'OFFICE CENTRAL DES ASSOCIATIONS INTERNATIONALES,
Director, M. Henri La Fontaine, 11 Square Vergote, Brussels, Belgium.

II

DIVISION OF ECONOMICS AND HISTORY

Director, JOHN BATES CLARK.

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Committee of Research

EUGEN VON BÖHM-BAWERK,

Formerly Minister of Finance; President of the Imperial Academy of Sciences, Vienna; Professor of Political Economy at the University of Vienna.

PAUL LEROY-BEAULIEU,

Professor of Political Economy at Collège de France, and Editor of *Economiste Français*.

LUJO BRENTANO,

Professor of Economics in the University of Munich.

EUGÈNE BOREL,

Professor of Public Law in the University of Geneva.

HENRI LA FONTAINE,

Professor of International Law; Senator; Director of the International Bibliographical Institute; President of the Bureau International de la Paix at Berne since 1907; member of the Interparliamentary Union.

CHARLES GIDE,

Professor of Economics in the University of Paris.

H. B. GREVEN,

Professor of Political Economy and Diplomatic History in the University of Leyden.

FRANCIS W. HIRST,

Editor of the "*Economist*," London.

DAVID KINLEY,

Dean and head of the Department of Economics in the University of Illinois.

LUIGI LUZZATTI,

Professor of Constitutional Law in the University of Rome; Secretary of the Treasury of Italy, 1891-93; Prime Minister of Italy, 1908-1911.

G. OGAWA,

Professor at the University of Kioto.

GEORGE PAISH,

Editor of the "*Statist*," London.

MAFFEO PANTALFONI,

Professor of Political Economy in the University of Rome; Editor of the *Giornale degli Economisti*.

EUGEN VON PHILIPPOVICH,

Professor of Political Economy in the University of Vienna.

PAUL S. REINSCH,

Professor of Political Economy at the University of Wisconsin, Madison, Wisconsin, U. S. A.; Roosevelt Professor at the University of Berlin, 1911-1912.

BARON SAKATANI,

Formerly Minister of Finance, Tokio, Japan; Mayor of Tokio.

THEODORE SCHIEMANN,

Professor of the History of Eastern Europe in the University of Berlin.

HARALD WESTERGAARD,

Professor of Political Science and Statistics in the University of Copenhagen.

FRIEDRICH FREIHERRN VON WIESER (Acting Member),

Formerly Rector of the University of Prague.

III

DIVISION OF INTERNATIONAL LAW

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General Adviser to the Division of International Law

L'INSTITUT DE DROIT INTERNATIONAL

THROUGH A SPECIAL CONSULTATIVE COMMITTEE ELECTED FOR THIS PURPOSE:

ASSER, T. M. C. (Holland),

Publicist and writer; Minister of State of Holland; President of the Royal Commission for Examinations for Admission to the Diplomatic Service and for Private International Law; member of the Permanent Court of Arbitration; delegate to the First and Second Hague Conferences and President of the Bills of Exchange Conference of 1910; one of the founders of the first journal of international law (1869), *La Revue de droit international et de législation comparée*, still in existence; one of the founders of the Institute of International Law in 1872; arbiter in international controversies.

BAR, KARL LUDWIG VON (Germany),

Publicist and writer; Professor of International Law, Criminal Procedure and Criminal Law in the University of Göttingen; member of the Permanent Court of Arbitration; formerly judge of the Obergericht; formerly member of the German Reichstag.

FUSINATO, GUIDO (Italy),

Publicist and diplomatist; member of the Italian Chamber of Deputies; member of the Permanent Court of Arbitration; member of the Institute of International Law; delegate to the Second Hague Conference; delegate to the London Naval Conference; formerly Minister of Public Instruction; formerly President of the Institute of International Law; arbiter in international controversies.

GRAM, GREGER W. W. (Norway),

Statesman and publicist; Governor of Hamar; member of the Permanent Court of Arbitration; formerly Minister of State; formerly judge of Mixed Courts of Egypt; arbiter in well known international controversies, beginning with the Bering Sea arbitration of 1892.

HAGERUP, FRANCIS (Norway),

Statesman and diplomatist; Minister of State; Norwegian Minister to Denmark and Holland; member of the Permanent Court of Arbitration; member of the Nobel Committee of the Norwegian Parliament; formerly President of the Institute of International Law; formerly Professor of Law at the University of Christiania; formerly Prime Minister of Norway (1895-1898), (1903-1905); arbiter in international controversies.

HOLLAND, THOMAS ERSKINE (Great Britain),

Publicist, educator and author; President of the Institute of International Law; formerly Chichele Professor of International Law and Diplomacy in the University of Oxford; delegate to the Geneva Red Cross Conference of 1906.

LAMMASCH, HEINRICH (Austria),

Publicist; Professor of International Law in the University of Vienna; member of the Herrenhaus of Austria; member of the Permanent Court of Arbitration; Vice-President of the Institute of International Law; Austro-Hungarian delegate to the First and Second Hague Conferences; arbiter from 1902 in international cases tried in the Permanent Court of Arbitration.

LARDY, CHARLES ÉDOUARD (Switzerland),

Diplomatist; member of the Permanent Court of Arbitration; Minister of Switzerland to France; formerly President of the Institute of International Law; arbiter in international controversies.

RENAULT, LOUIS (France),

Publicist, educator and author; Professor of International Law in the University of Paris; Professor of International law in the *École libre des sciences politiques*; Jurisconsult in the Ministry of Foreign Affairs; member of the Permanent Court of Arbitration; delegate to the First and Second Hague Conferences, to the Geneva Red Cross Conference (1906), to the London Naval Conference (1906-7); formerly President of the Institute of International Law; arbiter in several international controversies.

ROLIN, ALBÉRIC (Belgium),

Publicist, educator and author; Professor of Private International Law in the University of Ghent; Secretary General of the Institute of International Law; formerly President of the Institute of International Law.

VESNITCH, MILENKO R. (Servia),

Diplomatist; Servian Minister to France and Belgium; member of the Permanent Court of Arbitration; Vice-President of the Institute of International Law; formerly Minister of Justice; formerly Minister of Public Instruction; formerly President of Servian Parliament; formerly Servian Minister to Italy.

UNIV. OF
CALIFORNIA

MR. CARNEGIE'S LETTER TO THE TRUSTEES READ AT THEIR FIRST MEETING

DECEMBER 14, 1910.

GENTLEMEN: I have transferred to you as Trustees of the Carnegie Peace Fund, Ten Million Dollars of Five Per Cent. First Mortgage Bonds, the revenue of which is to be administered by you to hasten the abolition of international war, the foulest blot upon our civilization. Altho we no longer eat our fellowmen nor torture prisoners, nor sack cities killing their inhabitants, we still kill each other in war like barbarians. Only wild beasts are excusable for doing that in this, the Twentieth Century of the Christian era, for the crime of war is inherent, since it decides not in favor of the right, but always of the strong. The nation is criminal which refuses arbitration and drives its adversary to a tribunal which knows nothing of righteous judgment.

I believe that the shortest and easiest path to peace lies in adopting President Taft's platform, who said in his address before the Peace and Arbitration Society, New York, March 22d, 1910:

"I have noticed exceptions in our arbitration treaties, as to reference of questions of national honor to courts of arbitration. Personally I do not see any more reason why matters of national honor should not be referred to a court of arbitration than matters of property or of national proprietorship. I know that is going farther than most men are willing to go, but I do not see why questions of honor may not be submitted to a tribunal composed of men of honor who understand questions of national honor, to abide by their decision, as well as any other questions of difference arising between nations."

I venture to quote from my address as President of the Peace Congress in New York, 1907:

"Honor is the most dishonored word in our language. No man ever touched another's man's honor; no nation ever dishonored another nation; all honor's wounds are self-inflicted."

At the opening of the International Bureau of American Republics at Washington, April 26, 1910, President Taft said:

"We twenty-one republics cannot afford to hav any two or any three of us quarrel. We must stop this, and Mr. Carnegie and I will not be satisfied until all nineteen of us can intervene by proper mesures to suppress a quarrel between any other two."

I hope the Trustees will begin by pressing forward upon this line, testing it thoroly and douting not.

~~The judge who presides over a cause in which he is interested dies in infancy if discovered.~~ The citizen who constitutes himself a judge in his own cause, ~~as against his fellow-citizen,~~ and presumes to attack him, is a law-breaker and as such disgraced. So should a nation be held as disgraced which insists upon sitting in judgment in its own cause in case of an international dispute.

I call your attention to the following resolution introduced by the Committee of Foreign Relations in the First Session, Fiftieth Congress, June 14, 1888:

"Resolved by the Senate (the House of Representatives concurring), that the President be, and is hereby, requested to invite, from time to time, as fit occasions may arise, negotiations with any government with which the United States has or may have diplomatic relations, to the end that any differences or disputes arising between the two governments which cannot be adjusted by diplomatic agency may be referred to arbitration and be peaceably adjusted by such means (resolution not reached on calendar during session, but reintroduced and passed: Senate, February 14, 1890. Passed, House, April 3, 1890)."

This resolution was presented to the British Parliament, which adopted a resolution, approving the action of the Congress of the United States and expressing the hope that Her Majesty's Government would lend their ready co-operation to the Government of the United States for the accomplishment of the object in view (Resolution of the House of Commons, July 16, 1893, For. Rel. 1893, 346, 352).

Here we find an expression of the spirit which resulted in the first international Hague Conference of 1899; the second Hague Conference of 1907; eighty treaties of obligatory arbitration between the great nations of the world, our own country being a party to twenty-three of them.

It was my privilege to introduce to President Cleveland in 1887 a Committee of Members of Parliament of Britain, hedded by Sir William Randal Cremer, in response to the action of Congress, proposing a treaty agreeing to settle all disputes that mite arise between America and Great Britain by arbitration. Such a treaty was concluded between Lord Pauncefote and Secretary Olney in 1897. It faild of approval by the necessary two-thirds majority of the Senate by only three votes.

There is reason to believ that the British Government has been desirous of having that treaty ratified by our Government or redy to agree to another of similar character, so that President Taft's policy seems within easy reach of

success. If the English-speaking race adopts such a treaty we shall not have to wait long for other nations to join, and it will be noticed that the resolution of Congress in 1890 embraces "any government with which the United States has or may have diplomatic relations."

If the independence and rights of nations to their respective internal policies were first formally recognized in such treaties, no dispute concerning these elements of sovereignty could arise.

In order to give effect to this gift, it will be suitable that the Trustees herein named shall form a corporation with lawful powers appropriate to the accomplishment of the purposes herein expressed and I authorize the conveyance of the fund to such a corporation.

The Trustees have power to sell, invest, or re-invest all funds, either in the United States or in other countries, subject as respects investments in the United States to no more restriction than is imposed upon savings banks or insurance companies in the State of New York.

No personal liability will attach to Trustees for their action or nonaction as Trustees. They may act as a Board. They have power to fill vacancies or to add to their number and to employ all officials and to fix their compensation whether members of the Board or not. Trustees shall be reimbursed all expenses incurred in connection with their duties as Trustees, including traveling expenses attending meetings, including expenses of wife or daughter to each annual meeting. A majority of the Trustees may act for the whole. The President shall be granted such honoraria as the Trustees think proper and as he can be prevailed upon to accept.

Lines of future action cannot be wisely laid down. Many may have to be tried, and having full confidence in my Trustees I leave to them the widest discretion as to the measures and policy they shall from time to time adopt, only premising that the one end they shall keep unceasingly in view until it is attained, is the speedy abolition of international war between so-called civilized nations.

When civilized nations enter into such treaties as named, and war is discarded as disgraceful to civilized men, as personal war (duelling) and man selling and buying (slavery) have been discarded within the wide boundaries of our English-speaking race, the Trustees will please then consider what is the next most degrading remaining evil or evils whose banishment—or what new elevating element or elements if introduced or fostered, or both combined—would most advance the progress, elevation and happiness of man, and so on from century to century without end, my Trustees of each age shall determine how they can best aid man in his upward march to higher and higher stages of development unceasingly; for now we know that man was created, not with an instinct for his own degradation, but imbued with the desire and the power for improvement to which, perchance, there may be no limit short of perfection even here in this life upon earth.

Let my Trustees therefore ask themselves from time to time, from age to age, how they can best help man in his glorious ascent onward and upward and to this end devote this fund.

Thanking you for your cordial acceptance of this trust and your hearty approval of its object, I am

Very gratefully yours,

ANDREW CARNEGIE.

Witness:

LOUISE WHITFIELD CARNEGIE.

MARGARET CARNEGIE.

RESOLUTIONS OF ACCEPTANCE

Resolved, That the Trust Fund, for the promotion of peace, specified in the instrument subscribed to and delivered this day by Mr. Andrew Carnegie, be and it is hereby accepted for the purposes prescribed by the donor.

Resolved, That in undertaking to hold and use, in trust, this munificent gift for the benefit of mankind, the Trustees are moved by a deep sense of the sincere and noble spirit of humanity which inspires the donor of the Fund. They feel that all thoughtful men and women should be grateful to him, and should be glad to aid, so far as lies within their power, towards the accomplishment of the much-to-be-desired end upon which he has fixed his hopes, and to which he desires to contribute. They are not unmindful of the delicacy and difficulty involved in dealing with so great a sum, for such a purpose, wisely and not mischievously, and in ways which shall be practical and effective. They accept the Trust in the belief that, although, doubtless, many mistakes may be made, great and permanent good can be accomplished.

**PROPOSED CHARTER (H. R. 32084) APPROVED IN THE BY-LAWS
OF THE ASSOCIATION**

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following persons, namely, Robert S. Brookings, Thomas Burke, Nicholas Murray Butler, John L. Cadwalader, Joseph H. Choate, Cleveland H. Dodge, Charles W. Eliot, Robert A. Franks, Arthur William Foster, John W. Foster, Austen G. Fox, William M. Howard, Samuel Mather, Andrew J. Montague, George W. Perkins, Henry S. Pritchett, Elihu Root, Jacob G. Schmidlapp, James Brown Scott, James L. Slayden, Albert K. Smiley, Oscar S. Straus, Charles L. Taylor, Charlemagne Tower, Andrew D. White, John Sharp Williams, Robert S. Woodward, Luke E. Wright, their associates and successors, duly chosen, are hereby incorporated and declared to be a body corporate of the District of Columbia by the name of the "Carnegie Endowment for International Peace," and by such name shall be known and have perpetual succession, with the powers, limitations, and restrictions herein contained.

SEC. 2. That the objects of the corporation shall be to advance the cause of peace among nations, to hasten the abolition of international war, and to encourage and promote a peaceful settlement of international differences, and in particular—

(a) To promote a thorough and scientific investigation and study of the causes of war and of the practical methods to prevent and avoid it.

(b) To aid in the development of international law, and a general agreement on the rules thereof, and the acceptance of the same among nations.

(c) To diffuse information, and to educate public opinion regarding the causes, nature, and effects of war, and means for its prevention and avoidance.

(d) To establish a better understanding of international rights and duties and a more perfect sense of international justice among the inhabitants of civilized countries.

(e) To cultivate friendly feeling between the inhabitants of different countries, and to increase the knowledge and understanding of each other by the several nations.

(f) To promote a general acceptance of peaceable methods in the settlement of international disputes.

(g) To maintain, promote, and assist such establishments, organizations, associations, and agencies as shall be deemed necessary or useful in the accomplishment of the purposes of the corporation, or any of them.

(h) To take and hold such property, real or personal, and to invest and keep invested and receive and apply the income of such funds, and to construct

and maintain such buildings or establishments, as shall be deemed necessary to prosecute and develop the purposes of the corporation, or any of them.

(i) To do and perform all lawful acts or things necessary or proper in the judgment of the trustees to promote the objects of the corporation.

With full power, however, to the trustees hereinafter named, and their successors, from time to time, to modify the conditions and regulations under which the work shall be carried on, and the particular purposes to which the income shall be applied, so as to secure the application of the funds in the manner best adapted to the conditions of the time: *Provided*, That the purposes of the corporation shall at all times be among the foregoing or kindred thereto.

SEC. 3. That the management and direction of the affairs of the corporation and the control and disposition of its property and funds shall be vested in a board of trustees, twenty-eight in number, to be composed of the following individuals: Robert S. Brookings, Thomas Burke, Nicholas Murray Butler, John L. Cadwalader, Joseph H. Choate, Cleveland H. Dodge, Charles W. Eliot, Robert A. Franks, Arthur William Foster, John W. Foster, Austen G. Fox, William M. Howard, Samuel Mather, Andrew J. Montague, George W. Perkins, Henry S. Pritchett, Elihu Root, Jacob G. Schmidlapp, James Brown Scott, James L. Slayden, Albert K. Smiley, Oscar S. Straus, Charles L. Taylor, Charlemagne Tower, Andrew D. White, John Sharp Williams, Robert S. Woodward, Luke E. Wright, who shall constitute the first board of trustees. Vacancies caused by death, resignation, or otherwise shall be filled by the remaining trustees in such manner as shall be prescribed from time to time by the by-laws of the corporation. The persons so elected shall thereupon become trustees and also members of the corporation.

SEC. 4. That the principal office of the corporation shall be located in the District of Columbia, but offices may be maintained and meetings of the trustees and committees thereof may be held elsewhere, as provided by the by-laws of the corporation.

SEC. 5. That the board of trustees shall be entitled to take, hold, and administer any securities, funds, or property which may at any time be given, devised, or bequeathed to them or to the corporation for the purposes of the trust; with full power from time to time to adopt a common seal, to appoint such officers and agents, whether members of the board of trustees or otherwise, as may be deemed necessary for carrying on the business of the corporation, at such salaries or remuneration as the trustees may deem proper; with full power to adopt by-laws and such rules or regulations as shall be deemed necessary to secure the safe and convenient transaction of the business of the corporation; and full power and discretion to invest any principal and deal with and expend the income of the corporation in such manner as in the judgment of the trustees will best promote the objects hereinbefore set forth; and, in general, to have and use all the powers and authority necessary and proper to promote such objects and carry out the purposes of the corpora-

tion. The trustees shall have power to hold as investments any securities given, assigned, or transferred to them or to the corporation by any person, persons, or corporation, and to retain such investments, and to invest any sums or amounts from time to time in such securities and in such form and manner as may be permitted to trustees or to charitable or literary corporations for investment according to the laws of the States of New York, Pennsylvania, or Massachusetts, or any of them, or in such securities as may be authorized for investment by any deed of trust, or by any act or deed of gift or last will and testament.

SEC. 6. That all personal property and funds of the corporation held, or used, for the purposes thereof, pursuant to the provisions of this Act, whether of principal or income, shall, so long as the same shall be so used, be exempt from taxation by the United States or any Territory or District thereof: *Provided*, That such exemption shall not apply to any property, principal or income, which shall not be held or used for the purposes of the corporation.

SEC. 7. That the services of the trustees, when acting as such, shall be gratuitous, but the corporation may provide for the reasonable expenses incurred by the trustees in attending meetings or otherwise in the performance of their duties.

SEC. 8. That Congress may from time to time alter, repeal, or modify this Act of incorporation, but no contract or individual right made or acquired shall thereby be divested or impaired.

BY-LAWS OF THE ASSOCIATION

ADOPTED MARCH 9, 1911.

ARTICLE I.

THE TRUSTEES.

SECTION 1. Pending the incorporation of the trustees, the business of the Trust shall be conducted by the trustees as an unincorporated association, and shall be managed and controlled by the board of trustees, which shall consist of twenty-eight members, who shall hold office continuously and not for a stated term.

The name of the association shall be "Carnegie Endowment for International Peace."

SECTION 2. Vacancies in the board of trustees shall be filled by the trustees, by ballot, by a vote of two-thirds of the trustees present at a meeting. No person shall be elected, however, who shall not have been nominated, in writing, by some member of the board of trustees twenty days before an annual or special meeting. A list of the persons so nominated, with the names of the proposers, shall be mailed to each member of the board of trustees twenty days before a meeting, and no other nomination shall be considered except by the unanimous consent of the trustees present.

SECTION 3. In case any trustee shall fail to attend three successive annual meetings of the board, he shall thereupon cease to be a trustee.

SECTION 4. No trustee shall receive any compensation for his services as such.

ARTICLE II.

MEETINGS.

SECTION 1. The principal office of the association shall be in the City of Washington, in the District of Columbia. The annual meeting of the board of trustees shall be held on the second Thursday of December in each year.¹

SECTION 2. Special meetings of the board may be called by the executive committee at such place as the committee shall determine, by notice served personally upon or mailed to the usual address of each trustee, twenty days prior to the meeting, as the names and addresses of such trustees appear upon the books of the association.

¹See Amendment I, page 13.

SECTION 3. Special meetings shall be called by the president in the same manner upon the written request of seven members of the board.

SECTION 4. A majority of the trustees shall constitute a quorum.

SECTION 5. The order of business at the annual meeting of the board of trustees shall be as follows:

1. Calling the roll.
2. Reading of the notice of the meeting.
3. Reading of the minutes of the last annual or special meeting.
4. Reports of officers.
5. Reports of committees.
6. Election of officers and trustees.
7. Miscellaneous business.

ARTICLE III.

OFFICERS.

SECTION 1. The officers of the association shall be a president and a vice-president, who shall be elected from the members of the board by ballot annually. There shall also be a secretary elected from the members of the board, who shall serve during the pleasure of the board, and a treasurer, who may or may not be a member of the board, who shall be elected by the board and serve during the pleasure of the board.

ARTICLE IV.

THE PRESIDENT.

SECTION 1. The president shall be the presiding officer of the association and chairman, *ex officio*, of the executive committee. He shall preside at all meetings of the board or the executive committee, and exercise the usual duties of a presiding officer. He shall have general supervision of all matters of administration and of all the affairs of the association.

SECTION 2. In the absence or disability of the president, his duties shall be performed by the vice-president.

ARTICLE V.

THE SECRETARY.

SECTION 1. The secretary shall be the chief administrative officer of the association and, subject to the authority of the board and the executive committee, shall have immediate charge of the administration of its affairs and of the work undertaken by it or with its funds. He shall devote his entire time to the work of the association. He shall prepare and submit to the board of trustees and to the executive committee plans, suggestions and recommendations for the work of the association, shall carry on its correspondence, and generally supervise the work of the association. He shall sign and execute all instruments in the name of the association when authorized to do so by the board of trus-

tees or by the executive committee or the finance committee. He shall countersign all cheques, orders, bills or drafts for the payment of money, and shall perform the usual duties of a secretary and such other duties as may be assigned to him by the board or the executive committee.

SECTION 2. He shall be the legal custodian of all property of the association whose custody is not otherwise provided for. He shall submit to the board of trustees, at least thirty days before its annual meeting, a written report of the operations and business of the association for the preceding fiscal year, with such recommendations as he shall approve.

SECTION 3. He shall act, *ex officio*, as secretary of the board of trustees and of the executive committee, and shall have custody of the seal and affix the same when directed so to do by the board, the executive committee or the finance committee.

SECTION 4. An assistant secretary may be appointed by the executive committee to perform the duties or exercise the powers of the secretary, or some part thereof.

ARTICLE VI.

THE TREASURER.

SECTION 1. The treasurer shall have the care and custody of all funds and property of the association as distinguished from the permanent invested funds and securities, and shall deposit the same in such bank, trust company or depository as the board of trustees or the executive committee shall designate, and shall, subject to the direction of the board or the executive committee, disburse and dispose of the same, and shall perform the usual duties incident to the office of treasurer. He shall report to each meeting of the executive committee. He shall keep proper books of account of all moneys or disposition of property received and paid out on account of the association, and shall exhibit the same when required by the executive committee, the finance committee or any officer of the association. He shall submit a report of the accounts and financial condition of the association, and of all moneys received or expended by him, at each annual meeting of the association. He may be required to give a bond for the faithful discharge of his duties, in such sum as the executive committee may require.

SECTION 2. An assistant treasurer may be appointed by the executive committee to perform the duties and exercise the powers, or some part thereof, of the treasurer. Such assistant treasurer may be either an individual or a corporation, who may in like manner be required to furnish a bond.

ARTICLE VII.

THE EXECUTIVE COMMITTEE.

SECTION 1. There shall be an executive committee, consisting of the president, the secretary, and five other trustees elected by the board by ballot for a

term of three years who shall be eligible for re-election. The members first elected shall determine their respective terms by lot, two to serve three years, two to serve two years and one a single year. A member elected to fill a vacancy shall serve for the remainder of the term.

SECTION 2. The executive committee shall, subject to the authority of the board, and when the board is not in session, exercise all the powers of the board in the management, direction and supervision of the business and the conduct of the affairs of the association. It may appoint advisory committees, or agents, with such powers and duties as it shall approve, and shall fix salaries of officers, agents and employees.

SECTION 3. The executive committee shall direct the manner in which the books and accounts of the association shall be kept, and shall cause to be examined from time to time the accounts and vouchers of the treasurer for moneys received and paid out by him. Such committee shall submit a written report to the board at each meeting of the board, and shall submit an annual report to the annual meeting of the board.

SECTION 4. Whenever any vacancy shall occur in the executive committee or in the office of secretary or treasurer, or in any other office of the association by death, resignation or otherwise, the vacancy shall be filled by appointment by the executive committee until the next annual meeting of the board of trustees.

SECTION 5. A majority of the executive committee shall constitute a quorum.

ARTICLE VIII.

FINANCE COMMITTEE.

SECTION 1. The finance committee shall consist of three trustees to be elected by the trustees by ballot annually.

SECTION 2. The finance committee shall have custody of the permanent invested funds and securities of the association and general charge of its investments, and shall care for, invest and dispose of the same subject to the directions of the board of trustees and of the executive committee. It shall consider and recommend to the board from time to time such measures as in its opinion will promote the financial interests of the association, and shall make a report at each annual meeting of the board.

Pending incorporation the title to the permanent invested funds and securities of the association, as well as the custody thereof, shall be vested in the finance committee in trust for the association.

ARTICLE IX.

TERMS OF OFFICE.

The terms of office of all officers and of all members of committees shall continue until their successors in each case are appointed.

ARTICLE X.

FINANCIAL ADMINISTRATION.

SECTION 1. The fiscal year of the association shall commence on the first day of July in each year.

SECTION 2. The executive committee, at least one month prior to the annual meeting in each year, shall cause the accounts of the association to be audited by a skilled accountant, to be appointed by the president, and shall submit to the annual meeting of the board of trustees a full statement of the finances and work of the association, and shall mail to each member of the board of trustees a detailed estimate of expenses and requirements for appropriation for the ensuing fiscal year, thirty days before the annual meeting.

SECTION 3. The board of trustees at the annual meeting in each year shall make general appropriations for the ensuing fiscal year, and may make special appropriations from time to time.

SECTION 4. The securities of the association and other evidences of property shall be deposited under such safeguards as the trustees or the executive committee shall designate; and the moneys of the association shall be deposited in such banks or depositories as may from time to time be designated by the executive committee.

ARTICLE XI.

These by-laws may be amended at any annual or special meeting of the board of trustees by a majority vote of the members present, provided written notice of the proposed amendment shall be personally served upon, or mailed to the usual address of, each member of the board at least twenty days prior to such meeting.

ARTICLE XII.

The executive committee is hereby empowered to accept, on behalf of the association, a charter of the tenor and form reported by the Judiciary Committee of the House of Representatives to the House on the third day of February, 1911 (H. R. 32084, "To incorporate the Carnegie Endowment for International Peace"), and laid before the trustees of this association on the ninth day of March, 1911, with such alterations and amendments thereto as may be imposed by Congress and are not, in the judgment of the executive committee, inconsistent with the effective prosecution of the purposes of the association.

Upon the granting of such charter the property and business of the association shall be transferred to the corporation so formed and a meeting of the trustees shall be called for the purpose of regulating and directing the further conduct of the business by the corporation.

AMENDMENT I.

(Adopted December 12, 1912)

Resolved, That Article 2, Section 1, of the By-Laws of the Association be, and it is hereby, amended, by striking out the words "second Thursday of December," and inserting in lieu thereof the words "third Friday of April."

**REPORT OF THE EXECUTIVE COMMITTEE TO THE
BOARD OF TRUSTEES**

REPORT OF THE EXECUTIVE COMMITTEE TO THE BOARD OF TRUSTEES

TO THE BOARD OF TRUSTEES OF THE CARNEGIE ENDOWMENT FOR INTERNATIONAL PEACE:

In compliance with Article 7, Section 3, of the By-Laws, the Executive Committee submits its annual report for the year 1912.

The financial statement for the year, a detailed estimate of requirements for appropriation for the ensuing fiscal year, and the Secretary's report of the operations and business of the Association for the preceding fiscal year have been mailed to each member of the Board.

The Committee, in compliance with Article 10, Section 2 of the By-Laws, has caused the accounts of the Association to be audited by a skilled accountant, whose report will be laid before the Board.

The Board will be called upon, at its present meeting, to fill two vacancies in the Executive Committee, those arising because of the expiration of the two-year terms of Messrs. Montague and Pritchett, and to elect in regular course the President, Vice-President, and Finance Committee for the year 1912.

The Committee recommends that at the present meeting a permanent Treasurer, to be chosen from the members of the Board and to serve without salary, be also elected.

The experience of the officers of the Endowment and of your Committee during the preceding year has convinced them that, without some change in the By-Laws, it will always be difficult to submit reports and estimates to the Board with the degree of exactness that is desirable.

The preparation of a budget for the rapidly developing activities of a new undertaking is necessarily in some respects very vague and hypothetical. It is especially so under the present arrangement, because it has to be made in October, 1912, for the period ending June 30, 1914, and in the meantime the action of the Trustees upon new proposals incident to the development of the trust must be guessed at. There are two ways of reducing the inconvenience, to change either the date of the annual meeting or of the beginning of the fiscal year. The Committee believes the former to be preferable and proposes the following amendment of the By-Laws:

To amend Article 2, Section 1, by striking out the words "second Thursday of December" and inserting in lieu thereof, "third Thursday of April."

This recommendation was approved by the Committee on October 3rd, and due notice has been given to each Trustee in accordance with the By-Laws. Should the Board adopt the proposed amendment, it may find it desirable to postpone until the meeting in April, 1913, the consideration of the requirements for appropriation for the fiscal year ending June 30, 1914, which have been prepared for consideration at this meeting of the Board.

In the last, which was also the first, report of the Executive Committee, the organization devised by it for the effective prosecution of the aims and purposes of the Endowment was described and the policy formulated which, in the opinion of the Committee, it was deemed desirable to pursue. The experience of the present year has confirmed the members of the Executive Committee in their belief both as to the effectiveness of the organization and as to the wisdom of the policy adopted.

Since the last annual meeting of the Board, the Committee has held meetings on the following days: December 14, 1911, January 27, February 17, March 25, May 25, June 26, October 3, October 26, and November 16, 1912. The minutes of all these meetings, showing in detail the action and resolutions of the Committee, have been sent regularly to each member of the Board.

A perusal of the minutes will show that a great deal of important business has been transacted at the meetings of the Committee and that a large number of requests and applications, involving from a few dollars to sums almost equalling in amount the Endowment's entire income, have had to be passed upon. Of the latter, many were rejected because they did not seem to the Committee fairly to come within the purpose of the Endowment; others, in appropriate cases, were referred to the agencies already supported by the Endowment, while some seemed to indicate a tendency on the part of those who have hitherto been willing to sustain movements in favor of peace to retire and permit the Endowment to take the entire burden. This tendency the Committee felt bound to discourage, and such applicants were informed that the Trustees are deeply impressed by the importance of administering their trust in such a way that the money which they are enabled to spend shall be in addition to, and not a substitute for, the customary contributions to the same end.

Secretary's Office and General Administration

The general administration of the Endowment is, in accordance with the By-Laws, conducted through the Secretary's Office, and it is difficult to state its varied activities without entering into much detail. The increase in the operations of the Association through the organization of the three Divisions and the actual execution of their projects have added materially, since last year, to the work of this office and the nature of its duties. The additional work has not, however, involved additional expense.

The Secretary's Office prepares the minutes of the meetings of the Executive Committee and of the Board; compiles and prints the monthly financial statements for the Executive Committee and the Board; the accounts of the Association in all its branches are kept by it; the immense amount of translating and printing required by the three Divisions is centralized here; the official publications, such as the Year Book and the Confidential Information Series, are assembled, edited and published under the direction of this office; the official archives are deposited here, carefully indexed and preserved; it purchases the supplies for the three Divisions; and the general library of the Endowment is here located, as well as the general bibliographical and biographical matter concerning the Endowment's work and the peace movement.

The coördination of the work of the three Divisions through the Secretary's Office and the centralization in that office of many matters of administration have increased the efficiency of the organization, and the coöperation of the Secretary and Directors in the formulation and execution of their projects has enabled them to be presented to the public as a harmonious whole.

Division of Intercourse and Education

The arrangement which was being made at the date of the last annual meeting of the Board for the strengthening and reorganization of the American Peace Society, so as to centralize through it the activities of the local peace societies throughout the United States, was consummated on May 10, 1912, by the adoption of a revised constitution, which was submitted to your Committee and appears in its minutes of May 25, 1912. The constitution provided, in accordance with the views of the Committee, for the appointment of an Executive Director, and this position has now been filled with apparent satisfaction. The executive offices of the Society have been transferred to Washington, new branches have been organized in the States of Maine, New Hampshire, Vermont and Nebraska, and five general departments of work have been created as follows: New England, with administrative office at Boston; New York and New Jersey, with administrative office at New York; South Atlantic States, with administrative office at Atlanta; Central West, with administrative office at Chicago; Pacific Coast, with administrative office at Los Angeles. The full sum included in last year's estimates for this society has accordingly been allotted to it.

The Secretariat of the Division in Paris has been suitably located and its administration is being conducted along orderly and business-like lines. It acts as the disbursing agency for Europe of the Division of Intercourse and Education, the funds being deposited in the *Banque de Paris et des Pays Bas*. This arrangement has been found so convenient that the Committee also directed that certain funds of the Division of Economics and History, which required frequent remittance to Europe, be disbursed through the same agency.

A monthly audit of the funds of the Secretariat is made at Paris and quarterly accounts with proper vouchers are submitted to and audited in the Secretary's Office at Washington.

The Endowment was fortunate in receiving but one declination from the European statesmen and publicists who were invited to serve on the Advisory Council of the Division in Europe. It has suffered a severe loss, however, by the death of three of them since they were appointed. The vacancies caused by two of the deaths were filled, and two additional members appointed to strengthen the Council in countries where it did not appear to be adequately represented. There have also been two additions to the list of correspondents of the European Bureau.

The Advisory Council has held several meetings in Paris and it is evident from the minutes of these meetings, which have been submitted to your Committee and transmitted to the Trustees in the Confidential Information Series, that the Council will be of much assistance to the Endowment in planning and executing the work of the Division of Intercourse and Education in Europe. Soon after the Council began its work, it was found to be handicapped by a lack of precision in its powers and organization, and it was found necessary to define both in a written statute. Such a statute was drafted by the Council in conjunction with the Acting Director, and submitted to this Committee and approved by it on October 3, 1912. The document itself is printed in the minutes of the Committee of that date.

The Special Correspondents of the Division at Vienna, London, Tokio, and Berlin have more than fulfilled the expectations of the Committee. Their frequent correspondence, which has been placed regularly before the Committee through the Acting Director, has been of real assistance to the Committee in keeping it advised as to the international situation and in aiding it in reaching its decisions upon important matters. The Confidential Information Series, frequently referred to in this report, was established primarily in order that the Trustees may have prompt and ready access to these interesting communications. The large amount of correspondence which the Special Correspondent at Tokio found it necessary to conduct has led the Committee to make him a small allowance for clerical assistance.

The work of the American Association for International Conciliation and its affiliated branches abroad is regarded by the Acting Director as the most gratifying and hopeful accomplishment of the year in his Division, and the Committee is inclined to concur in this opinion. The work of the Association in the United States and of the parent body in France has not only been continued with zest and vigor, but the organization of similar associations in other countries has met with marked success. In Germany, the organization of the *Verband für internationale Verständigung* has brought into being for the first time in that country an organization working for the cause for which the Endowment was established. The Committee regarded this under-

taking as so important that it decided to grant to it an annual subvention of \$6,000. Steps have also been taken to organize branches in Great Britain, Canada and the Argentine Republic. Should these efforts prove successful, it is the expectation of the Committee that it will provide subventions for them.

The Association has also been utilized as the agent of the Endowment in the distribution of certain literature which it was deemed expedient to circulate, and in financing certain undertakings of minor importance.

The Committee unfortunately is not able to make an unreserved report with reference to the *Bureau International Permanent de la Paix* at Berne. The action of the Bureau in issuing its magazine in three languages, thus making it a competitor with periodicals printed in French, German, and English which receive the support of the Endowment, has occasioned unfavorable comment. It has also developed that the Endowment is supplying an excessive proportion of the total income of the Bureau, and the Committee concurs in the judgment of the Acting Director that the Endowment should not furnish permanently so large a share of support. A material reduction of the subvention has accordingly been made in the estimates for the support of the Bureau for the next fiscal year. It is expected that similar reductions will be made hereafter until the subvention is reduced to twenty or twenty-five per cent of the Bureau's income.

The task entrusted to the Bureau of allotting to the various national peace societies the sum set apart for that purpose by the Endowment last year will, now that the Endowment has completely organized its own agencies for administrative work in Europe, hereafter be entrusted to the Advisory Council in Europe.

The Central Office of International Associations at Brussels has made progress upon the matters for which a subvention was granted, namely, to carry on the work of international bibliography, the publication of *La Vie Internationale*, the sending of delegates to special international congresses, the building of an international museum at Brussels, and the cost of holding conferences of international associations.

The purpose of the Endowment in granting aid to certain periodicals devoted to the peace movement, viz., to improve their character and increase their usefulness by a larger circulation, appears to have been accomplished. The details with reference to each periodical may be found in the report of the Acting Director.¹

The educational exchange between the United States and Japan has had an auspicious beginning. Through the enthusiastic response of the Japanese people, Dr. Inazo Nitobe, a prominent educator of Japan, came to the United States in the fall of 1911 and remained here until the spring of 1912. The profitable manner in which his time was spent, the institutions and places which he visited, and the cordial receptions which he everywhere received are duly

¹Printed, *infra*, p. 61.

narrated in the Acting Director's report. By the terms of the arrangement, the Endowment this year sends an American educator to Japan. After a thorough canvass of the field, the Committee has selected Dr. Hamilton W. Mabie for this mission, and he is already on his way.

It has not been found practicable as yet to put into operation the educational exchange with Latin America. The reasons therefor are given by the Acting Director in his report.

The inauguration of the system of occasional international visits by representative men has also been attended with success. Notwithstanding that he was overtaken by serious illness during his voyage, Dr. Eliot, the first representative of the Endowment sent under this plan, had a most profitable trip to Asia, as will appear from his letters and reports which are included in the Confidential Information Series.

The action of the United States Senate on the general arbitration treaties of 1911 is a matter of public history. It will be recalled that an item of \$50,000 was included in the emergency appropriation to enable the Committee to reimburse Mr. Carnegie for sums advanced by him in advocating the treaties. Of this amount, \$45,674.59 was expended. The manner in which the campaign was conducted is stated in the report of the Acting Director.

The inadequacies, in some cases, of proper arrangements for the reception and entertainment of distinguished foreign visitors and delegates to the United States, have seemed to the Committee to make it advisable to provide a fund for use for this purpose as occasion may indicate.

The advantages of educational exchange with Europe on an extensive scale are pointed out by the Acting Director, who strongly recommends such exchange in the report of his Division.

The particular attention of the Trustees is called to the establishment of the Garton Foundation for Promoting the Study of International Polity, the aims and purposes of which are stated in the Acting Director's report. The Foundation promises to have large influence in Great Britain, and its trustees have expressed the hope that the Endowment will, if necessary, aid them in their work. Your Committee have expressed the desire to coöperate.

Division of Economics and History

The activities of this Division have been confined exclusively to the prosecution of the inquiries recommended by the conference of economists at Berne. The program of this conference is contained in the Director's report of last year on pp. 90-98 of the Year Book for 1911.

A large part of the present year has been devoted to the making of the numerous personal arrangements necessary to the actual conduct of the investigations.

The services of the eminent economists participating in the conference at Berne were requested only for the year July 1, 1911-June 30, 1912. As

the work outlined at Berne was to be done under their supervision, it was necessary that their services be retained on a more or less permanent basis until the inquiries are completed. The Executive Committee accordingly passed a resolution on March 25th organizing the members of the Berne conference into a Committee of Research to coöperate with the Division of Economics and History in prosecuting and completing such investigations and inquiries recommended by the Berne conference as from time to time may be approved by the Executive Committee. The duties of the members of the committee were defined by the resolution and may be summarized as follows: (a) to supervise inquiries into the subjects which may be assigned to them; (b) to select collaborators to conduct the investigations and prepare the manuscripts; (c) to represent the Endowment in the execution of contracts with collaborators; (d) to edit the manuscripts turned in by the collaborators. An annual honorarium of \$1,000 was provided for each member of the committee. Invitations to serve on the committee were extended to each participant in the Berne conference, and your Committee is happy to report that acceptances have been received from all. Subsequently, a member was added for Latin America and an assistant provided for one of the Austrian members.

It was next necessary that the many subjects selected for investigation by the Berne conference be properly apportioned among the members of the Committee of Research and their collaborators, in order to prevent duplication. This was a long and difficult problem which has now been satisfactorily solved.

The exact relations between the Endowment and the collaborators had also to be determined, and this was accomplished by adopting a uniform form of contract to be executed by all the collaborators. The form of the contract is contained in the minutes of your Committee of March 25th.

In the assignment of subjects and collaborators, two agreeable surprises were encountered: first, a number of the members of the Committee desired personally to contribute studies. It had not been expected that these gentlemen would be willing to do more than supervise and edit the works of their collaborators. Secondly, the eminence of the gentlemen who have been secured as collaborators is especially noteworthy. In many cases, they are the acknowledged leading authorities on the subjects which have been assigned to them.

A list of the collaborators who have so far been selected, together with the subjects which they will investigate, is printed as an appendix to the report of the Director.¹ Two completed manuscripts have already been received, but the Committee is holding in abeyance the question of printing them until a definite policy with reference to the publication of the scientific works of the Endowment is adopted. Contracts have been executed for thirty-eight works; sixty-three additional contracts are expected at an early date, and preliminary arrangements have been made for fifty studies.

¹Printed, *infra*, p. 90.

The studies which have been undertaken or are in contemplation are confined almost entirely to Europe. It has not been found practicable as yet to make contracts for Asia, although a certain amount of preliminary work in this direction is being done by the Japanese member of the Committee of Research. It has also been impracticable to embark upon studies in Latin America because of certain difficulties of selection, which have recently been solved by the appointment on the Committee of Research of a distinguished American economist especially familiar with the Latin American field. In the United States, one study has been undertaken, and plans are maturing for inquiries into the effects of the wars in which the United States has taken part upon the economic and political conditions of the country.

It was contemplated by the conference at Berne that a second conference should take place in the summer of 1913, but it is the opinion of the Director of the Division, which opinion is shared by the Executive Committee, that it would not be desirable to hold a second conference until further progress has been made in the work.

Division of International Law

The proposal, outlined in the report of the Director last year, for the collection and publication of all known international arbitrations, was reduced to written form in a contract with Professor Moore, dated February 7, 1912. The work of collecting the material for the publication is being conducted under the personal direction and supervision of Professor Moore. A large part of this material is in the official archives of the Department of State, and in the collection of this, the Division of International Law is affording Professor Moore such assistance as it can command.

The work of compiling, translating and transcribing the material for the collection of arbitration treaties, authorized by the Board of Trustees, is in progress and a large amount of the work involved has already been completed.

The relation of the *Institut de Droit International* to the Division of International Law, contemplated in the action of the Board at its last meeting, is dealt with in detail in the report of the Director of the Division of International Law.¹ Briefly, the Institute at its meeting in Christiania in August last accepted the invitation of the Endowment to act as the general adviser of the Division of International Law, and appointed a special consultative committee of eleven of its most distinguished members for this purpose. The Director of the Division submitted to this consultative committee a classified list of the many suggestions, plans and projects which had come to him from various sources, and some of these projects were approved by it. Naturally, sufficient time has not elapsed in which to work out the details of these projects and submit itemized estimates.

¹Printed, *infra*, p. 99.

Upon the acceptance by the Institute of the Endowment's offer, the Committee allotted to it the sum of \$20,000 appropriated by the Board at its last meeting. In granting this subvention, the Committee, in conformity with the resolution of the Board, allotted it to be expended as the Institute deems proper. The Committee did not find it necessary to allot any part of the contingent fund voted in connection with the Institute.

With reference to the Academy of International Law at The Hague, the Committee has not considered it advisable as yet to make any allotment of funds to encourage the project. It has informed the gentlemen in charge that before action is taken by the Committee, it must be convinced that such an institution is really desired by the international world, that the governments generally will take sufficient interest in it to detail officials to attend the lectures, so that a distinctive and influential student body may be obtained. Your Committee has been assured that these things can be done to its satisfaction, that the Dutch Government itself will take an interest in the Academy and interest the other Governments in it, and that, for the first year, that Government will invite the lecturers and defray the expenses. Should the Academy be successfully launched and the Committee desire to extend the aid of the Endowment, it will have at its disposal the appropriation of last year made for this purpose.

At its last meeting, the Board placed at the disposal of the Committee a sum to be used for the purpose of improving the character and strengthening and increasing the usefulness of journals of international law. The existing journals coming within this category have been considered, with the result that subventions have been granted to five journals, one journal has been denied a subvention, and another is under advisement. The full details with reference to each journal are given in the report of the Director.

At the last meeting of the Board, a resolution was adopted directing this Committee

to propose and carry out, subject to the approval of this Board, a plan for the propagation, development, maintenance, and increase of sound, progressive and fruitful ideas on the subject of arbitration and international law and history as connected with arbitration, especially through addresses or courses of lectures delivered before the leading universities, colleges and law schools of the United States, and to report on the same at the next regular meeting of the Board.

The report called for by this resolution, prepared by the Division of International Law, will be submitted to the Board at this meeting. The Committee concurs in the recommendations of the Director, (1) that a copy of the report be sent all institutions of higher education; (2) that a similar report be made regularly to the Board; (3) that a conference of professors of international law in the leading educational institutions in the United States be

called to consider the present condition and steps for the future development of this study. The details of such a conference are given in the Director's report.

In order to increase the circulation and encourage the editors in a highly useful undertaking, the Committee has authorized the purchase of one hundred copies of each volume, as it appears, of the *Recueil des Arbitrages Internationaux*, edited by MM. de Lapradelle and Politis.

The Committee has approved and recommends to the Board the suggestions of the Director for the collection and publication of the documents of the first and second Hague Peace Conferences, including the reports explaining and interpreting the texts actually adopted, and for the publication in English of Professor Fiore's *Diritto Internazionale Codificato*. The details and reasons for these suggestions are given in the Director's report.

The Committee will present to the Board of Trustees resolutions drafted in form appropriate to give effect to the conclusions of the Committee so far as they shall be approved by the Board.

Respectfully submitted,

ELIHU ROOT, *Chairman*
JAMES BROWN SCOTT, *Secretary*
NICHOLAS MURRAY BUTLER
AUSTEN G. FOX
ANDREW J. MONTAGUE
HENRY S. PRITCHETT
CHARLEMAGNE TOWER

WASHINGTON, D. C., December 12, 1912.

**REPORT OF THE SECRETARY TO THE BOARD OF
TRUSTEES**

REPORT OF THE SECRETARY TO THE BOARD OF TRUSTEES

TO THE BOARD OF TRUSTEES OF THE CARNEGIE ENDOWMENT FOR INTERNATIONAL PEACE:

In compliance with Article 5, Section 2, of the By-Laws, the Secretary submits the following report of the operations and business of the Association for the preceding year, with accompanying recommendations:

Secretary's Office and Administration

At the date of the last annual meeting, the organization of the Secretary's Office was in a more or less experimental stage. The year which has just elapsed has given opportunity to determine, with some degree of certainty, the nature and amount of work which will be required of the headquarters, and consequently the qualifications and number of persons to be employed.

In the interest of orderly administration, it has been found desirable to have the personnel of the Division of International Law distinct and separate from the Secretary's Office, and this change has been made. The segregation of the work of the Division of International Law has enabled the Secretary to reduce somewhat the cost of clerical assistance in the headquarters.

As was to be expected when the Endowment got fairly under way in the active prosecution of its work, an enormous amount of translating from many languages was necessary, not only for the use of the Endowment proper, but also in connection with projects of the Divisions. The requirements in this connection became so great that it was necessary to add a competent translator to the general administrative staff. The Secretary was fortunate to secure the services of an efficient, scholarly, and thoroughly trained translator, who is able to handle satisfactorily the most important foreign languages. Since then the work of translating has been almost more than one man can do, and it may be found necessary during the coming year to employ an assistant. A large amount of material appearing in the Confidential Information Series is translated into the English language; the correspondence of European officials and agents has frequently to be translated for the use of the administrative officers; important letters to the European officials are translated into their languages so as to avoid mistakes in correspondence; it has been found advisable in many, if not most, instances to translate into English the miscellaneous requests received by the Endowment in foreign tongues; the foreign treaties which are to appear in the collection of arbitration treaties have to be translated into English, and a considerable portion of the material which is being collected by Professor Moore

in the preparation of his collection of international arbitrations must be translated from many languages for his personal use as well as for subsequent publication.

The duties of the central office in disbursing the funds of the Endowment, in keeping proper books of account, and in preparing the monthly financial statements for the use of the Executive Committee and the Board of Trustees, have also greatly increased during the preceding year. The disbursement of large sums of money through the Paris Secretariat for the Division of Intercourse and Education, and the complicated and many demands made upon the disbursing office in connection with the contracts of the Committee of Research of the Division of Economics and History, have made it necessary that the Secretary's office be equipped so as to handle promptly and intelligently ordinary accounts as well as accounts in foreign moneys. The many and various items involved in the disbursements required that there be in the office a person experienced in auditing, so that proper precautions be taken to insure the correctness of the many bills and accounts presented for payment. There was therefore added to the general administrative staff an accountant and auditor, for which position the services of a gentleman were secured who has had many years' experience as an auditor in the Treasury Department of the United States, wide experience in the disbursement of large sums in several departments of the Government service, and who, for a number of years, kept the difficult and complicated accounts of the diplomatic and consular services of the Department of State.

The addition of the translator and auditor has not, however, involved any increase in the expenses of the headquarters, for a readjustment of other items included in the estimates enabled a sufficient sum of money to be set aside to meet their salaries.

The concrete results of the labors of the Endowment in its scientific field, principally through the Division of Economics and History and the Division of International Law, can only be made available to the public by putting them in book or pamphlet form. The question of printing and the proper distribution of the scientific publications of the Endowment is, therefore, vital to the success of the Endowment's educational propaganda. An examination of the projects of the Divisions of Economics and History and of International Law, as outlined in the reports of the Directors of these Divisions, shows that the question of printing is urgent, involves very considerable thought, and a little reflection shows it also to be beset with many difficulties. It deserves and has received the careful attention and consideration of the Executive Committee, of the Secretary, and of the Directors of the Divisions. Arrangements must be made for the series of publications soon to be undertaken by the Endowment, so that the volumes shall be skilfully and attractively printed, at reasonable expense, and, as far as possible, in a uniform manner. Arrangements must also be made to secure the distribution and circulation of the various publications in the quarters and among the persons for whose benefit they are primarily intended, so that the

various volumes may enter into and become a part of the literature of the subjects of which they treat. As a result of much thought and reflection on the part of the officials who have considered the matter, the conclusion has been reached, (1) that it is not advisable for the Endowment to go into the publishing business and undertake to print and distribute its various publications; (2) that the printing, publication and distribution of the works to be undertaken by the Endowment should be turned over to some competent and responsible publishing house, whose facilities are such that it can not only print, but distribute and place them upon the market in all parts of the world. There are several firms which could, no doubt, meet these requirements. The Secretary is now, by direction of the Executive Committee, negotiating along these lines.

Should the negotiations reach such a point that a definite proposal can be laid before the Board at its meeting in December, such action will be taken. It is doubted, however, whether such an important undertaking can be concluded in so short a period, and it will probably be necessary to leave the ratification of the agreement to the discretion of the Executive Committee. No separate appropriation is required to carry into effect the publishing scheme, inasmuch as the estimates for each Division include a sum sufficient to meet the requirements of publication during the period of the estimates.

Pursuant to the authorization of the Executive Committee and the Board of Trustees, there was issued at the beginning of the present year a Year Book containing the important documents relating to the establishment and organization of the Endowment, the reports of the Executive Committee, Secretary and Directors of the Divisions, and much useful information concerning the divisional organization, officers and agencies. A copy of this Year Book was mailed to each Trustee. The original plan provided for a small edition of 1,000 copies, but the demands for the volume were so great that it was necessary to increase the edition to 5,000 copies, and of that number there is now on hand hardly a sufficient quantity to form an adequate supply for official use in years to come. The Secretary's Office distributed the Year Book among the Trustees and officers of the Endowment, the foreign offices of various nations, about 300 newspapers and newspaper correspondents, over 1,000 libraries, and over 1,000 schools. For the Division of Intercourse and Education, distribution was made among the Advisory Council, Special Correspondents, Correspondents and other European agencies, and over 250 peace societies. For the Division of Economics and History, some 125 copies were distributed in accordance with the suggestions of the members of the Committee of Research. For the Division of International Law, copies were sent to the members of the Institute of International Law, the members of the Permanent Court of Arbitration at The Hague, the members of the Central American Court of Justice, and to about 250 professors of international law in the United States and other countries. Besides the foregoing, several hundred copies were transmitted to other institutions and persons.

The Year Book is the official and formal account to the public of the work

of the Endowment and of the use it is making of the funds entrusted to it. That portion of the public to which it is sent constitutes what may well be regarded as the jury which determines the success or the failure of the Endowment's administration and labors. Its proper distribution is, therefore, no mere manual or clerical performance, but is worthy of serious official thought. Much consideration has been given to it by the Secretary, Directors of the Divisions, and the Executive Committee, and a permanent mailing list for future Year Books has been adopted. This list includes all of the sources to which the Year Book for 1911 was sent and many others which it has been deemed advisable to add. To carry out this distribution it will be necessary that at least 6,000 copies of the Year Book be printed. The demands in time to come for the first issues are likely to be very heavy, and it is thought that the reserve supply for future official use should not be less than 1,000 copies, thus making a total annual edition of the Year Book of 7,000 copies.

The Secretary had the honor to recommend in his report of last year that the By-Laws be so changed that the annual meeting of the Board of Trustees and the beginning of the fiscal year, for which their appropriations are made, may be brought closer together in point of time. The Executive Committee and the Board did not act upon this recommendation, but the difficulty experienced by the Secretary, the Directors of the Divisions, and the Executive Committee in preparing their reports and estimates this year has shown the wisdom of this recommendation, and the Executive Committee has, by due notice to the Trustees, informed them of its intention to offer an amendment to the By-Laws at the forthcoming annual meeting to reduce the inconvenience. The reasons for which the change is recommended are set forth in the Secretary's report of last year (Year Book for 1911, page 35).

The system of correspondents in foreign countries adopted for each of the Divisions of the Endowment has led to the accumulation by the Directors of the Divisions of a large number of important and interesting communications touching the various phases of the peace movement and international affairs in many parts of the world. These communications are submitted regularly to the Executive Committee at its meetings and have been of inestimable value both to the committee and the administrative officers in keeping them informed as to what should and, in many cases, what should not be done. It was realized that the Trustees would be unable fully to appreciate the work of the committee and the reasons which actuated it unless they also could read these documents. They are, therefore, printed in a separate series of confidential prints which has been designated the "Confidential Information Series," and distributed to the Trustees. This series contains such documents and correspondence as are found by the Directors of the Divisions and by the Executive Committee to be useful for the information of the members of the Board.

A number of the pamphlets of this series have already been issued and distributed to the Trustees. A large amount of the material must be translated

from various foreign languages into English before publication, and the work of assembling, editing, translating, etc., connected with the issuance of the print, all of which is done in the headquarters of the Endowment, involves an immense amount of labor. The systematizing of the duties of the Secretary's office, however, has enabled it to perform the additional task without increasing its personnel.

It is regretted that we are unable to report to this meeting of the Board of Trustees the incorporation of the Endowment by Congress. Bills to accomplish this purpose were introduced in the House and Senate at the last session of Congress, but neither passed. The House Bill was considered by the Committee on the Judiciary, favorably reported to the House on January 30, 1912, and placed upon the House calendar, where it remained until the end of the session. The report of the House Committee on the Judiciary contains an admirable analysis of the purpose and organization of the Endowment, and the members of the committee seem to have been impressed with the importance of its incorporation and to be in favor of granting a charter, as will appear from the following paragraphs of their report:

It will be seen from the above description of the association and its work that the Endowment is engaged in broad, comprehensive, and international practical endeavor to promote its humanitarian objects, that it is designed to exist for an indefinite period of time, that it is and will be engaged in a great variety of important undertakings involving the expenditure of large sums of money and in many different countries. Its incorporation is, therefore, highly desirable in order to enable it to prosecute its labors in the most effective and orderly manner, and it is peculiarly appropriate that the charter for such an enterprise should be granted by the Congress of the Nation which first assumed and has since maintained the leadership in a movement for international peace.

The bill appears to be admirably drawn for carrying out the purposes of the incorporators as stated and to be safeguarded against any possible abuse of the power conferred by the bill.

It is to be hoped that the gentlemen who have heretofore interested themselves in the passage of these bills in Congress will continue their efforts and that a charter will be granted to the Endowment by the Congress at an early date.

It is proper in this place to refer to the relationship which has been established between the Endowment, through the Secretary's office, and the American Group of the Interparliamentary Union. The question of aiding the more effective organization of this Group has been the subject of frequent consideration. A vigorous and aggressive organization working along the lines of the Interparliamentary Union is capable of rendering valuable services to the cause of international peace, and such services have been rendered in the past by the Interparliamentary Union and will, no doubt, be rendered in the future. The

Secretary and several other members of the Executive Committee had the benefit of personal conference with the Secretary General of the Interparliamentary Union on the occasion of his visit to the United States last spring, and they were impressed with the necessity of increasing and strengthening the representation of the American Congress in that organization. The principal need seemed to be an officer who could devote some time to the affairs of the American Group, so as to constitute it an active organization, bring its aims and purposes to the attention of such members of Congress as would likely be interested in it and, if possible, enlist their active coöperation; and secondly, a permanent office which might be considered the headquarters of the Group. After much consideration, the Executive Committee resolved to place at the disposition of the Group for secretary the services of Mr. S. N. D. North, the Assistant Secretary of the Endowment, and to offer the facilities and accommodations of the headquarters of the Endowment for the establishment and maintenance of a permanent office. The offer of the Endowment was accepted, and at a meeting of the Executive Committee of the Group, Mr. North was unanimously elected Executive Secretary.

The absence of the members of Congress from Washington has, as yet, prevented Mr. North from getting in close touch with the situation. In the meantime, it is planned by the Executive Committee to invite, during the coming winter, a number of members of Congress to meet the Executive Committee of the Endowment to consider the situation, and to endeavor to secure the representation of the American Congress in the Interparliamentary Union which the importance of this country deserves.

Division of Intercourse and Education

The report of the Acting Director of the Division of Intercourse and Education shows the progress made during the current year in perfecting the organization of the European agency of the Division at Paris, the services rendered by the Special Correspondents, the activities of the organizations and societies which he has recommended for financial assistance, the creation of branches of International Conciliation in several countries, and contains suggestions, the result of practical experience, as to the relations which the Carnegie Endowment should maintain to peace agencies and the ways in which the Endowment can best further the peace movement.

It will be recalled that last year, with the approval of the Board, an Advisory Council of European statesmen and publicists prominently identified with the cause of peace and international arbitration was constituted, a permanent Secretariat for the Division established at Paris, and correspondents appointed from distinguished representatives of many leading countries. The membership of the Advisory Council (printed in the Year Book for 1911, pages 45-50) has been increased; the Secretariat was established at the beginning of the year

and has successfully carried on its operations during the year; and an addition has been made to the list of correspondents (printed in the Year Book for 1911, pages 51-53).

The provisional executive committee of the Advisory Council met at Paris on May 27th, and the Advisory Council was in session at Paris May 27-29. As a result of these meetings and of conferences of the Acting Director, the Advisory Council has been organized upon what promises to be satisfactory lines, and appropriate and exact relations determined which the Advisory Council shall hold to the Secretariat and the Division of Intercourse and Education, on the one hand, and the peace movement in Europe on the other.

From the statute adopted by the Executive Committee for the guidance of the Advisory Council in Europe and of its executive committee, it appears that the Advisory Council is constituted in order that the Division of Intercourse and Education may secure the aid and counsel of distinguished men, who have identified themselves with the movement for the promotion of international justice and international peace.

The function of the Council is to advise the Trustees, their Executive Committee, and the Director of the Division of Intercourse and Education as to matters and policies lying within the scope of the Division, and more particularly as to the activities of the Division in European countries.

As, however, the Advisory Council is composed of a large number of members, who represent different and widely distant countries, it has been decided to appoint an executive committee of the Council to consist of members of the Council designated by the Trustees of the Carnegie Endowment, and to serve for the period of two years. The principal duties of the executive committee and the relations which it sustains to the Advisory Council (the European Bureau) and the Carnegie Endowment are, to receive and to transmit, through appropriate channels, recommendations or criticisms, reports and annual accounts of the various recipients of subventions from the Carnegie Endowment whose activity falls within the scope of this Division, and to accompany these papers with such observations, advice and recommendations as seem expedient; to bring to the attention of the European Bureau at Paris such matters as from time to time seem appropriate for submission to the Advisory Council for consideration; to submit to the Endowment whatever recommendations or suggestions are likely to assist the work of the Division of Intercourse and Education, and, in general, to promote the interests of the cause for which the Endowment is organized.

The following gentlemen were appointed to the executive committee of the Council by the Executive Committee of the Endowment at its meeting of October 3, 1912:

Baron Carl Carlson Bonde, Sweden.

Jean Efremoff, Russia.

Baron Paul d'Estournelles de Constant, France.

Paul Eyschen, Luxembourg.
Heinrich Lammasch, Austria.
J. Ramsay MacDonald, Great Britain.
Rt. Hon. Baron Weardale, Great Britain.
André Weiss, France.
Philipp Zorn, Germany.

The Secretary General of the European Bureau is *ex officio* secretary of the Advisory Council and of the executive committee. It is thus seen that the Secretariat is the connecting link, as it were, between the Endowment's Division of Intercourse and Education, on the one hand, and the Advisory Council, on the other.

The important rôle which the European organization is to play in shaping the policies of the Division is thus stated by the Acting Director :

It is not the purpose of the Acting Director to make recommendations for action affecting Europe, either to the Executive Committee or to the Trustees of the Endowment, until the judgment and recommendations of the Advisory Council in Europe or its executive committee shall have been had thereon. It is of the highest importance to make the work of this Division truly international from the outset, to secure for it the largest possible measure of good will, sympathy and coöperation. It is of value to make it plain that through the work of this Division, America is not imposing unwelcome acts and policies upon the friends of international peace and arbitration in European countries; but rather is seeking to coöperate with them in promoting the ends to which all are alike devoted. It is expected that the executive committee of the Advisory Council in Europe will meet several times each year for the transaction of necessary business. Much of the work of the Advisory Council itself can doubtless be carried on by correspondence; but occasional meetings of the entire membership of the Council will be found valuable, as the experience of last May so clearly proved.

The European organization of the Division can thus be regarded as complete and adequate for present purposes.

In addition to what may be called the central organization of the Division, with its office in New York and its Secretariat and Council in Europe, there were appointed last year certain Special Correspondents, namely, Mr. Alfred H. Fried of Vienna, Mr. Francis W. Hirst of London, Professor Paszkowski of Berlin, and Mr. T. Miyaoka of Tokio, who were intended to keep in constant and close touch with the Acting Director and to supply him not merely with information concerning the peace movement in general, but to keep him informed as to the changing conditions in the life and thought of their respective communities. The Acting Director states in his report the services which each of these gentlemen has rendered, remarking that "too much cannot be said in praise of the work of these correspondents. They have become not only the eyes and ears, but the hands of the Acting Director in their respective countries. By

reason both of their personal qualifications and their official positions they are able to render most unusual service to the Division of Intercourse and Education."

Passing now from the organization of the Division to the means adopted by it to "diffuse information, and to educate public opinion regarding the causes, nature and effects of war, and the means for its prevention and avoidance."

It will be recalled that Lord Haldane's remarkable address, entitled "England and Germany; a Study of National Characters," delivered in 1911 before the summer session of Oxford University, was translated into German, and that 250,000 copies were distributed in Germany. An English edition was likewise published and widely distributed. As to the effect produced upon the German public, the Acting Director says:

It is worth notice that this act of the Division of Intercourse and Education probably exerted a most valuable influence on German opinion at a crucial moment. The public press and the correspondence of the Acting Director have abounded in allusions to the good effects which followed from the circulation in Germany of Lord Haldane's paper. It probably paved the way for the important visit of Lord Haldane himself a few months later and widely heralded in the press of the world.

Regarding *The Great Illusion*, by Norman Angell (Mr. Ralph Lane), arrangements have been made for its translation and for its effective distribution in inexpensive form in Germany, France, Italy, Japan, Spain and Spanish America, the United States, India and China. Careful explanatory articles have been written conveying in brief form the ideas embodied in the book, which serve to present to public notice a note of interrogation on the whole subject of international peace to many millions of newspaper readers who perhaps have never heard of the book. For Latin America, arrangements have been made to supply copies of the book, without charge, to the members of every government, to every legislature and to a selected list of public men in those countries.

The periodicals to which subventions were granted are: *Die Friedens-Warte*, published monthly at Berlin, Leipzig and Vienna, and edited by Alfred H. Fried; *La Paix par le Droit*, published twice a month in Paris; *The Arbitrator*, the organ of the International Arbitration League, published monthly in London; *The Herald of Peace*, published quarterly at London as the organ of the Peace Society.

As the result of \$6,000 granted to and used by the *Friedens-Warte* 4,000 additional copies have been sent to individuals, associations and libraries. The journal has been increased from 32 to 40 pages, and 4,076 new addresses added to the mailing list, including students, teachers, university professors, organizations of students and teachers, societies of lawyers, journalists, publishers, editors, diplomats, publicists, members of the Reichstag and of the Austrian Parliament, libraries, reading rooms, newspapers and periodicals, and the value of *Die Friedens-Warte* has been increased by the success of the editor in obtaining articles from writers of distinction.

La Paix par le Droit was granted a subvention of \$1,350, as the result of which 1,000 additional copies are mailed to individuals and associations other than those previously receiving the journal. The circulation, including the 1,000 copies paid for by the subvention, has increased during the year from 3,500 to 5,000. Two thousand copies of the journal are now sent regularly to university libraries and to members of parliament in countries other than France.

To *The Arbitrator* a subvention of \$250 was granted, in order to purchase 1,000 annual subscriptions. The circulation of this journal is now about 2,000 and it appeals to many readers who could not be reached by purely pacifist publications. Free copies of the paper have been sent statedly to public libraries, reading rooms of coöperative societies, to secretaries of trade unions, to various schools and guilds, to the more important newspapers in Great Britain, to members of parliament and to representative men and women in Great Britain and elsewhere.

A subvention of \$250 has been granted to *The Herald of Peace*. As a result of this subvention, 660 additional copies were issued. The Acting Director states that "the report from this journal is not sufficiently full to enable a final judgment as to the value of this subvention to be passed."

The second object of the Division of Intercourse and Education is "to cultivate friendly feelings between the inhabitants of different countries, and to increase the knowledge and understanding of each other by the several nations." To give effect to this provision, the Board in 1911 authorized the exchange of visits by scholars and scientists between Latin American countries and the United States. According to the plan outlined by the Acting Director and approved by the Executive Committee "each representative so sent will be asked to divide his time between two educational institutions of the continent to which he goes, spending approximately one-half of the usual academic year at each. Each representative is to be sent not so much for the purpose of giving instruction in his own particular field of knowledge as for that of interpreting informally, and as occasion may offer, the civilization and the culture of his own people, and to gain more and more accurate knowledge of the civilization and culture of the people among whom he is a visitor."

The distinguished publicist, Dr. Luis M. Drago, formerly Minister of Foreign Affairs of the Argentine Republic, delegate to the Second Hague Peace Conference, and judge of the Fisheries Arbitration at The Hague, was invited to visit the United States as the first representative of Latin America. He accepted the invitation, but unfortunately his health has not permitted him to come to this country. The importance of such visits is evident, but the difficulty involved in their realization is very great. It is believed, however, that during the year 1913-14 the plan will be carried out.

More success was had in the plan to exchange visits between Japan and the United States, with a view of spreading in Japan and the United States a wider knowledge of the institutions, the public opinions, and the culture of each for

the purpose of promoting relations of confidence and good will between the two peoples. Each alternate year, a distinguished scholar, scientist, or man of affairs, whose expenses are met by a Japanese society, is to be sent to the United States, whereas the American scholar, scientist or man of affairs is to be chosen and his expenses paid by the Endowment. The Japanese representative visits six American colleges and universities and, in addition to formal academic lectures, he is furnished with the opportunity to meet in the freest possible way teachers and students and citizens, as well as to meet and address on various subjects, boards of trade, chambers of commerce, literary, fraternal and other organizations. Under this arrangement, Dr. Inazo Nitobe, a well-known Japanese scholar and educator, arrived in the United States in October, 1911, and spent approximately five weeks each at Brown University, Columbia University, Johns Hopkins University, University of Virginia, University of Illinois, University of Minnesota, where he delivered formal lectures. In addition to these formal lectures before university audiences, Dr. Nitobe delivered many more popular addresses. It is estimated that he delivered in all 166 addresses and was heard by not fewer than 40,000 persons.

The first American representative to Japan under the arrangement is Dr. Hamilton W. Mabie, who is expected to arrive at Yokohama in December of the present year. As was the case with Dr. Nitobe, opportunities will no doubt be afforded Dr. Mabie to deliver, in addition to the eight or ten formal lectures, addresses of an informal character and, unofficial visitor though he be, he will nevertheless be an ambassador of good will and fellowship.

Another means, which has been adopted, calculated to diffuse information and to educate public opinion, is the occasional visits of unofficial representative men, less formal than the interchange between Latin and Saxon America and Japan and the United States. The system was inaugurated by the visit of Baron d'Estournelles de Constant to the United States in the spring of 1911. The presence of the Secretary General of the Interparliamentary Union, Mr. Christian L. Lange, during the spring of 1912, was in pursuance of this general plan, and the visit of the distinguished authoress, the Baroness von Suttner, during the summer and fall of the present year is, if not under the auspices of the Endowment, encouraged by it. The most notable instance of the international visit is, however, the long journey which our distinguished fellow-trustee, Dr. Charles W. Eliot, made, as representative of the Endowment, to the Far East, notably to China and Japan. Dr. Eliot delivered a number of public lectures on American institutions and ideals and held conferences with prominent and influential men in various parts of China. He was in China at a most interesting time and had every opportunity to study and discuss the new governmental forms which the people of China were developing and adopting. Dr. Eliot next visited Japan, where he spent thirty days. During that time he delivered a large number of addresses and received much and generous hospitality. Dr. Eliot's report upon the results of his visit will no doubt be an important document and in itself justify the visit.

The exchange professorship of American history and institutions at the University of Berlin has met with such marked success that a number of other European Governments have become interested in the undertaking and appear to be desirous of extending the arrangement to their universities. The professorship at the University of Berlin does not receive the financial support of the Endowment, but the Acting Director states that the last holder of the chair was "a veritable missionary of American spirit and American culture throughout the German Empire," and he states that "all these projects are worthy of careful study. It is after all to the intellectual classes of the various nations that the Carnegie Endowment must first look for sympathy and help. Through their aid and by their power of interpretation at home, the Endowment will later be able to affect public opinion, the press and the governments."

A third purpose of the Division is, in the language of the Articles of Association, "to maintain, promote and assist such establishments, organizations, associations and agencies as shall be deemed necessary or useful in the accomplishment of the purposes of the corporation or any of them." Under this general heading may be grouped the peace societies properly so called; organizations such as the Central Office of International Associations at Brussels; associations of international conciliation, broader than either; and other organizations of a somewhat similar character.

In pursuance of this purpose, an allotment of \$24,000 was made to the Permanent International Peace Bureau at Berne, which although incorporated in Switzerland, is in reality international. It is administered by a commission of thirty-five members, not more than five of whom may be chosen from any one country, elected annually by the delegates in attendance upon the International Peace Congress. It represents, therefore, the federated peace and arbitration societies throughout the world. The Endowment, pending the completion of its organization in Europe, made the Berne Bureau its agency for aiding national societies, but during the present year the European organization has been completed, and it is proposed hereafter to entrust the duty of making the allotments to national peace societies to the executive committee of the Advisory Council of the Division in Europe. The Acting Director calls attention to the fact that the sum of \$24,000 actually appropriated to the Berne Bureau constitutes 91½ per cent of its income. Fearing that, if this appropriation be continued, the Bureau may be inclined to depend upon the Endowment and that individual initiative may be deadened, he states the policy which the Endowment should adopt in such cases, as follows:

In the judgment of the Acting Director, it should be the policy of the Trustees of the Carnegie Endowment not to take over permanently so large a share of the support of the Berne Bureau as is now the case, but rather to put the Bureau in position to demonstrate its value as an agency of propaganda, with the expectation that it will gain for its work support from other sources in Europe and elsewhere, in order that the subvention from the

Carnegie Endowment may be reduced from time to time until it reaches a much smaller proportion, say 25 per cent or 20 per cent of the whole income of the Bureau, instead of 91½ per cent as at present.

The same remarks apply to the Central Office of International Associations, which may be defined as not only the central office but the clearing house of international associations, to which a sum of \$15,000 was allotted for the year ending June 30, 1913. The purpose for which this money was allotted is to enable the Central Office to carry on work which it had already under way, including an international bibliography, the publication of *La Vie Internationale*, the sending of delegates to special international congresses, the building of an international museum at Brussels and the cost of holding conferences of international associations. The Central Office has not complied with the requirement that it present a detailed annual report of its activities, and the Acting Director recommends that if the Carnegie Endowment is to continue to aid *l'Office Central*, it should be on condition that the work undertaken meets with the approval of the executive committee of the Advisory Council in Europe, and also that a sum at least equal to that allotted by the Endowment is received from other sources.¹

In accordance with the plans, reported to the Board and approved by it last year, for reorganizing the American Peace Society in such a manner as to make it the organ of the federated peace societies of the United States, the constitution of the society has been revised, the central administration has been strengthened by the appointment of an executive director to work in association with the secretary of the society, and five general departments have been created to carry out its enlarged plans and projects; namely, the departments of New England, New York and New Jersey, South Atlantic States, Central West, and Pacific Coast. In this connection, the Acting Director takes occasion to state his views as to the nature and amount of financial assistance which the Endowment should render to such societies, and outlines the policy which he believes the Endowment should pursue in regard to peace societies in general, thus,

The Acting Director is entirely clear in the opinion, formed as a result of two years of study of conditions which prevail both in European countries and in the United States, that the work of propaganda in support of the ends which the Endowment has been established to serve, can be carried on most effectively and economically not through peace organizations, but through organizations having a broader scope and making a wider appeal. Those persons who become members of a society whose name indicates that it is devoted to peace, are already converted. In every nation of the world, there are hosts of right-thinking and well-minded men and women, who, while wholly unwilling to affiliate themselves with any peace society, are ready and anxious to assist in the work of promoting better international understandings and closer international relationships from

¹The annual report of *l'Office Central* was received after this report was submitted.

which peace will result as a by-product. The function of the peace societies is a distinctive and very important one. They may well form a compact and effective body of workers in the cause of international peace and arbitration, who constitute as it were the advance guard of the great army which it is hoped can be recruited and brought into active service. In the present state of public opinion throughout the world, the best use which the Carnegie Endowment can make of such portion of its funds as can be devoted to the work of active propaganda, is to build up and support organizations which give evidence of a willingness and a capacity to promote closer international relations, to advance the knowledge on the part of each civilized people of its fellows, and to multiply the ties of friendship and concord between the great nations of the earth. Among these organizations peace societies will of course be found, but it would not be judicious to entrust the whole work of propaganda to them.

Briefly, he is of the opinion that peace societies should be encouraged, but that they should be either self-supporting, or that the financial assistance of the Endowment should form but a part of their income, and that the energies of the Endowment and its income should be devoted to the encouragement or creation of other agencies that make a wider appeal than peace societies as such.

Associations of international conciliation are, in the Acting Director's opinion, better qualified than peace societies to reach the general public, because experience shows that large numbers of influential persons, who will not connect themselves with peace societies, actually join associations for international conciliation. Especial attention is called to the success which has attended the organization of the German branch of the Association for International Conciliation, entitled *Die Verband für internationale Verständigung*, located at Frankfort-on-the-Main, whose chief executive officer is Dr. Nippold, the well-known international lawyer, formerly professor at the University of Berne, and author of a very remarkable work entitled *Fortbildung des Verfahrens in völkerrechtlichen Streitigkeiten* (The Growth and Development of Procedure in International Controversies) and an account of the Second Hague Conference. This association, although but recently organized, is composed of many of the leading men in Germany, and had a remarkably successful meeting at Heidelberg in the month of October, 1912. For the first time, there is now in Germany a compact and well organized body of leaders of opinion working for the cause which it is the purpose of the Carnegie Endowment to promote. The Acting Director states that, in view of all the circumstances, this may well be regarded as the most gratifying and hopeful accomplishment of the year in the Division of Intercourse and Education. Steps have been taken to start branches in Great Britain, Canada and the Argentine Republic. Sir T. Vezey Strong, recently Lord Mayor of London, has undertaken to organize the British branch; Mr. MacKenzie King, formerly Minister of Labor, is in charge of the Canadian movement; and Dr. Luis M. Drago is looking after the matter in the Argentine Republic. The parent society was organized

in 1905 by Baron d'Estournelles de Constant, it includes in its membership a number of the leading French statesmen, publicists and scholars, and has won for itself a distinct and well-recognized place among the forces which have helped to mold public opinion in France.

The American branch of the Association, of which Dr. Butler is himself President, has issued, as is well known, a remarkable series of monthly pamphlets, of which not less than 80,000 were circulated, and it is also the agency through which many of the plans of the Division of Intercourse and Education are carried out. Before the establishment of the Endowment, Mr. Carnegie had selected the American branch as a body which he thought it wise to aid because of its peculiar constitution and field of work. The Endowment has recognized its efficiency and wide usefulness by a very much increased appropriation.

Among important projects, to which the Acting Director refers in his report, but for which no assistance is asked at the present, is the Garton Foundation for Promoting the Study of International Polity, which was organized in Great Britain in April, 1912. Its executive officer is Norman Angell (Mr. Ralph Lane), the well known author of *The Great Illusion*. The objects of the foundation are:

To furnish lecturers for existing bodies, such as the Y. M. C. A. and Polytechnic and Debating Societies, in order to create interest in the subject amongst the general public.

To utilize this interest, when aroused, by organizing courses of lectures in local centers.

To render the movement permanent by the foundation of Study Centers or Clubs.

In the summary of the activities, plans and projects of the Division of Intercourse and Education, many interesting details have necessarily been omitted, for which the report of the Acting Director¹ must be consulted, but enough has been said to show that in the course of the current year the Division has been organized upon a permanent basis, lines of policy have been laid down, and agencies have either been created or existing agencies utilized in such a way as to make the work of the Division effective.

Division of Economics and History

The Division of Economics and History, organized "to promote a thorough and scientific investigation of the causes of war and of practical methods to prevent and avoid it," has confined its activities to making preparations for and carrying out the program of investigation and study mapped out by the conference of publicists and economists which assembled at Berne in the month of

¹Printed, *infra*, p. 61.

August, 1911, upon the invitation and under the auspices of the Endowment. This program is given in the Director's report of last year, and published in the Year Book at pages 90-98. A very inadequate conception of the magnitude and difficulty of the task so tersely described as the purpose of this Division may be gathered from the partial list of collaborators and subjects appended to the Director's report for this year.¹

The Director has been engaged during the past year in determining which of the inquiries enumerated in the program should be made the immediate subjects of study and the persons to be engaged to make the investigations and to prepare their results in form for publication. The vastness and importance of the undertaking suggested that the Director would need not only the coöperation of many persons in many countries, but that he would require the advice and counsel of a select number of publicists and economists in the prosecution of the work. Therefore, the Executive Committee, on March 25, 1911, invited the participants in the Berne Conference to enter into regular relations with the Division as members of a permanent organization, to be known as the Committee of Research.

All of the members of the Berne Conference accepted membership in the Committee of Research, and at a subsequent meeting of the Executive Committee, Dr. David Kinley, professor of economics in the University of Illinois and delegate of the United States to the Fourth Pan American Conference at Buenos Aires in 1910, was appointed an additional member to take charge of the investigations and studies which may be undertaken in Latin America.

Forms of contracts for the members of the Committee of Research who may themselves conduct investigations, as well as forms of contracts to be entered into by members of the Committee of Research on behalf of the Endowment with collaborators, have been drawn up and approved by the Executive Committee. They provide, among other things, that the manuscripts to be prepared as the result of the investigations shall become the property of the Endowment and that the names of the authors and editors shall appear on the printed publications thereof.

In reporting the progress actually made by the Division in the execution of these various projects, the Director says in his report:

Our present program of study was planned, in the first instance, by three committees of the Conference at Berne, each of which presented a separate report. The program of the First Committee, as finally adopted, contains sixteen subjects for study, nearly all of which are so comprehensive that they cover a variety of sub-topics. The program of the Second Committee contains twelve such general subjects, and that of the Third Committee, nine. Researches have now been planned on all but four of this entire number of subjects, and it is probable that arrangements may soon be made for work in connection with some of these remaining ones. Of the

¹Printed, *infra*, p. 85.

works planned, twelve will be general, in the sense of not being confined, in each case, to a particular country. On twenty-two subjects, works have been planned requiring researches in each of a given number of different countries.

Two works are already in hand for publication, namely, *The Economic Effects of the Right of Capture*, by M. Dumas, and *Contemporary Wars*, by Professor Paul Leroy-Beaulieu. The latter is in reality a re-publication of a valuable little work, practically out of print, which will contain a new preface or introduction by its eminent author, so as to justify its inclusion in the series of monographs to be published by the Division.

Thirty-eight additional studies have been contracted for, sixty-three contracts are due and are expected to be received in the immediate future, and preliminary arrangements have been made in fifty other cases; making a total of one hundred and fifty-three studies.

However gratifying this report of progress may be, the value of the work of the Division is not to be estimated by the number of contracts placed for manuscripts or monographs actually received and published. The results must depend upon the ability of the investigators and authors, and in these respects, the Endowment has been particularly fortunate. The Director says:

The character and standing of the men who have undertaken to prepare works for our series is a source of the greatest satisfaction. It was at first supposed that the studies would have to be entrusted largely to young scholars of ability and promise, and possibly, in many cases, to men of the grade of *privat docent* in German universities. In that case whatever of éclat would be lent to the works by names on their title pages would come from the names of the members of the committee who would serve as editors. An agreeable surprise was in store for all who entertained this view. As the names of collaborators were reported, it appeared that many of them were men of high distinction, in some instances nearly or quite the first living authorities on the subjects on which they had undertaken to write. Moreover, in so far as is known, every one on the complete list of collaborators is an accomplished man in the line in which he has undertaken to work, and is specially qualified to produce a valuable report.

For the present, no contracts have been made for investigations in Japan, and the Director states in his report that such investigations, when undertaken, will be made exclusively by Japanese students. As yet no work has been begun in Latin America, but the appointment of Professor David Kinley as a member of the Committee of Research will result in the assignment of topics and the completion of studies in this interesting field of investigation. As regards the United States, the Director reports that "one large investigation has made good headway. It is a study at first hand of 'The Attitude of Labor Organizations toward War and Peace.' Plans are maturing for the study of the effects of wars in which the United States has taken part, on the economic and political condition of this country, and they should afford a basis for conclusions as to the

necessary results of any wars which might here be caused by popular excitement, if unchecked by sober thought."

From this brief statement of the activities of the Division of Economics and History during the current year, it appears that it is not only organized in the United States, but possesses an international organization, composed of publicists and economists of the highest standing, who no doubt will render efficient service to the Director, both by their advice and their collaboration; and that contracts have been made with distinguished investigators covering a large part of the subjects for the investigation of which the Division was created.

Division of International Law

The report of the Director of the Division of International Law¹ sets forth in detail the activities of the Division during the current year, and enumerates new projects which might properly be undertaken in the immediate future. The report treats specifically the following matters: (1) The organization of the Division and its relation to the Institute of International Law; (2) The projects already undertaken and the progress made in the execution of its various projects; (3) The proposed or suggested activity of the Division in the fiscal year 1913-14.

The Executive Committee, at its meeting of June 13, 1911, directed the Secretary to secure, if possible, consideration, at the 1912 meeting of the Institute of International Law at Christiania, of the plan of work of the Division of International Law, and at the meeting of the Executive Committee of October 26, 1911, the Director was authorized to invite the Institute of International Law to act, by committee or otherwise, as adviser to the Division of International Law regarding the course and development of its work. These proposals received the approval of the Board at its meeting in 1911, and the desires of the Endowment in both of these matters have been met. The Bureau of the Institute consented, on March 4, 1912, to act temporarily as general adviser, and placed the relations of the Institute to the Division, as well as the proper activity of the Division, upon the program of the Christiania session.

At this session, a resolution was adopted by which the Institute accepted the title and functions of General Adviser of the Division of International Law and expressed the happiness of the Institute to take part, in conformity with its constitution, in the work undertaken under the auspices of the Endowment for the development of international law. A second resolution expressed the gratitude of the Institute to the Trustees of the Endowment for the confidence which they showed in the Institute by entrusting it with the title of General Adviser of the Division of International Law and for their generous assistance in helping to finance the Christiania meeting, a subject which will be later referred to. A third resolution created a Special Consultative Committee

¹Printed, *infra*, p. 99.

to act until the next session of the Institute (1) as general legal adviser to the Division of International Law; (2) as a commission to draft a project for the regulation of the relations to be established between the Endowment and the Institute. The texts of the resolutions are printed in the report of the Director.

The members of the Consultative Committee were elected by the Institute from among its distinguished publicists, statesmen, diplomatists, professors of international law and international arbitrators, with whose names the Trustees are doubtless familiar. They are: Messrs. Asser of Holland, von Bar of Germany, Fusinato of Italy, Gram and Hagerup of Norway, Holland of England, Lammasch of Austria, Lardy of Switzerland, Renault of France, and Vesnitch of Servia. M. Albéric Rolin, the Secretary General, and a member *ex officio*, was chosen chairman of the committee.

As the result of these negotiations, extending over a year, the foundation has been laid for coöperation between the Institute and the Division of International Law upon what promises to be a permanent basis, and the Director of the Division is furnished with a Consultative Committee, composed of the most eminent publicists, possessing not merely the confidence of the Institute but, by their services and experience in international affairs, the confidence of the world at large. The Division can therefore be considered as organized in such a manner as to enable it to advance the cause for which it was created, inasmuch as coöperation with the Institute and the advice and counsel of the Consultative Committee will not only guard against hasty and ill-considered action, but be a guarantee that the projects to be undertaken by the Division are, in the opinion of those most competent to decide, not only timely and feasible, but calculated to "aid in the development of international law, and a general agreement of the rules thereof, and the acceptance of the same among nations."

As a majority of the Consultative Committee attended the Christiania session of the Institute, it was possible to organize the committee and hold a series of meetings. In anticipation of this possibility, the Director had prepared and transmitted to the members of the Institute a memorandum, giving in summary form the various recommendations gathered from many sources which had come to him. At two sessions of the Consultative Committee, held in Christiania on September 2, 1912, every project mentioned in the memorandum was considered. In some instances, the projects seemed to the members of the committee beyond the scope of the Endowment and they therefore recommended that they be not adopted. Others were held to fall within the scope of the Endowment, but required very careful examination. They were therefore reserved for future action. A third category seemed both feasible and timely, and they were recommended to the Endowment, to be undertaken by the Division of International Law. The following is a list of these recommendations:

(1) To compile and publish a collection of the provisions of the treaties of all countries of the world containing international agreement upon matters which, if universally assented to, would constitute international law.

(2) The founding of an Academy of International Law at The Hague, to be conducted during the summer or vacation period, and to include a regular course of international law and special lectures on important and current topics, the professors and lecturers to be the most eminent authorities of the different countries.

(a) The founding of paid scholarships at the Academy at The Hague so as to secure students from all parts of the world, the scholars to be selected either by the governments or as the result of competition by means of theses on subjects to be assigned.

(3) The collection and publication, in a uniform series, and in several languages, of the judicial decisions of national courts interpreting and applying the principles of international law.

(4) The exchange of professors of international law and diplomacy between various countries.

(5) The exchange of students of international law.

(6) The translation, reprinting and dissemination, at a nominal price, of the best works on international law, and especially of works written in languages which reach but a limited circle of readers.

(7) To give encouragement and assistance to magazines and periodicals to devote themselves to the development of international law and to the cause of international peace.

(8) To establish lectureships and professorships of international law in colleges and universities, after a careful preliminary study of the present state of the teaching of international law in the different countries.

(9) The preparation and publication of a scientific and accurate history of arbitration.

In addition to these projects, the committee added two which, in their opinion, were highly desirable:

(1) The preparation of a bibliography of international law, public as well as private.

(2) The encouragement, by means of subventions, of the publication of works or of collections relating to international law, which, notwithstanding their evident scientific interest, are not, by reason of their limited commercial market, of interest to publishers.

In pursuance of its policy to give greater strength and activity to the existing organizations and agencies which are capable of doing good work, the Board last year authorized the grant of a subvention of \$20,000 to the Institute of International Law, to be expended as it might deem expedient. After the Bureau of the Institute consented to act as the adviser of the Division and to place the plan and scope of the Division in the program of the Christiania session for discussion, the Executive Committee, at a meeting on May 25, 1912, allotted the sum of \$20,000, which was subsequently transmitted to

the President of the Institute. The Institute decided to defray the expenses of its members attending the Christiania session out of this sum, which accounts for the fact that, notwithstanding the remoteness of Christiania from the domiciles of the members, publicists were present from fourteen countries. The balance of the fund will be used to defray the expenses of holding meetings of committees, compensating *rapporteurs* and printing reports and other documents, all of which, as appears from the Director's report, the Institute has been unable adequately to do in the past owing to lack of funds.

Attention is called in the Director's report to the founding this year of the American Institute of International Law, an agency calculated to make for the development of international law and the peaceful settlement of international disputes by the application of the principles of law. A constitution and by-laws, modelled after the European Institute, have been adopted, and the following officers chosen: Honorary President, Elihu Root; President, James Brown Scott; Secretary General, Alejandro Alvarez, of Chile; Treasurer, Luis Anderson, of Costa Rica. It is a private association to be composed of five publicists from each of the states of the American continent. National societies of international law are to be organized in the capitals of Latin America and affiliated with the Institute. No funds are asked for the new institution, and the Director brings it to the attention of the Trustees merely as a step in the advancement of the purposes for which the Endowment was created.

To carry out the purpose of the Division "to establish a better understanding of international rights and duties and a more perfect sense of international justice among the inhabitants of civilized countries," the Board last year, upon recommendation of the Director, voted the sum of \$40,000 to be applied by the Executive Committee in its discretion toward the establishment of an International Academy at The Hague. For reasons stated below, no allotment of this fund has yet been made by the Executive Committee, and the fund voted by the Board last year is still available for this purpose should the Executive Committee decide to encourage the project.

The Director's reports for last year and this, and the Year Book, contain a full statement of the advantages, feasibility and organization of such an institution, and it is unnecessary at present to go into details. It may be said, in general, that, while approving the idea of the Academy, the Executive Committee has wished positive assurance that the desire for the Academy is general, not confined to any particular country, and that methods shall be devised to secure a large and influential student body, so that the professors and teachers will not lecture to empty benches, and that the students attending will in all probability become influential members of their respective countries.

On the question of the general desire for such an academy, the Director points out that the scheme was originally proposed, worked out and advocated by publicists representing Germany, Russia, Switzerland and Roumania, that it has twice received the endorsement of the International Law Association,

and that it has been approved by the Consultative Committee of the Institute of International Law. As further evidence on this point, the Dutch Minister of State, Mr. Asser, proposes to submit correspondence with publicists of different countries.

In the matter of securing a proper student body, Mr. van Swinderen, the Dutch Minister for Foreign Affairs, proposes to seek the coöperation of the governments to the extent of asking them to designate one or more competent persons of their diplomatic, consular, military, naval or administrative services to attend the lectures at the academy. As a further evidence of the interest of the Dutch Government, it proposes itself to inaugurate the academy in connection with the opening of the Peace Palace, to invite the lecturers as the guests of the Government and to defray their expenses.

As another means of giving effect to this part of the Division's work, the Board voted the sum of \$15,000 to be applied to strengthening and increasing the usefulness of a selected list of journals of international law. Subventions have been granted from this appropriation in order to insure in some cases the continued existence of the journals, to enlarge the contents of others, and to increase their circulation.

To the *Revue de Droit International et de Législation Comparée*, a grant of 5,000 francs has been made. Part of this sum is to meet the deficits which occur and which are borne by the editor. Another and more considerable part of the subvention is to be spent in paying for articles. Heretofore, the editor has had to solicit articles and has been glad to print what he receives.

The *Rivista di Diritto Internazionale* is the only Italian journal of international law. It was founded in 1906 and has appeared at irregular intervals. The editors have been much hampered by lack of finances and have had to make good deficits from their private means, approximately 1,000 francs annually. Instead of a direct subvention they preferred that the Endowment should subscribe for a hundred copies of the *Rivista*, which would enable them to meet the expenses of publication. This has been done, and the copies thus subscribed for are distributed where they will do the most good.

A Japanese journal of international law was started in 1902 as the organ of the Japanese Association of International Law, founded in 1897. It appears monthly, with the exception of July and August, and has been devoted in the past to international law in the technical sense of the word. As a result of negotiations, it appeared that a subvention of \$1,300 was needed and acceptable to the professors and teachers of international law, who have hitherto defrayed the expenses of its publication. This amount was granted and, as a result, the scope of the journal has been enlarged to include diplomacy and international affairs, its name has been changed to conform to its contents, the price has been reduced, and vigorous efforts are being made to increase its circulation, which its editors feel can be increased from 1,000 to 2,000 copies.

With the exception of the *Revista de Derecho Internacional y Política Exterior*, there is no journal of international law published in the Spanish lan-

guage, and there is none which circulates in Latin America. In view of this fact and the necessity of supplying Spanish American publicists with a journal of international law, the Director of the Division recommended a Spanish translation of the *American Journal of International Law*. Arrangements have been made with the American Society of International Law so that, beginning with the number for January, 1912, the *Journal* has been issued in Spanish and is being widely circulated under the title *Revista Americana de Derecho Internacional*. The Governments of Argentine, Colombia, Salvador and Venezuela have officially ordered it. Prominent officials in the Ministries of Foreign Affairs of Bolivia, Mexico and Venezuela have personally subscribed, as have a number of members of the diplomatic services of Bolivia, Brazil, Cuba, Nicaragua, Panama, Peru, Santo Domingo, Venezuela and Uruguay. The success which the Spanish edition has already had within the first few months of its appearance seems to place the justification of the undertaking beyond question.

Finally, a subvention of \$1,500 has been granted to the leading French journal, entitled *Revue Générale de Droit International Public*, in order that the continued appearance of this journal may be assured, and that its director, whose services are gratuitous, may receive a small honorarium, and that the contributors may be paid for leading articles.

As tending still further "to establish a better understanding of international rights and duties and a more perfect sense of international justice," the Director reports that he has, under the authority of the Executive Committee, subscribed for 100 copies of the first two volumes of the *Recueil des Arbitrages Internationaux*, which subscription is an encouragement not merely to the editors and publisher to complete the work, but will have it placed in foreign countries, where it will be within reach of publicists and persons who may have occasion to consult it. In like manner, 800 copies of the *Proceedings of the American Society for Judicial Settlement of International Disputes* for 1910 have been purchased and widely distributed to publicists, whom it was sought to interest in the judicial settlement of international controversies. The acknowledgments of the volume have been especially gratifying, as the Director reports that "its distribution among the teachers of international law has seemed particularly happy, for a number of professors have replied that they are greatly interested in the subject and will use the book, not only as a reference book for their students, but for work in the class-room."

Two projects are also reported upon, which may be treated in this connection:

(1) A report on the neutrality laws of the United States, prepared by the Division of International Law in response to the resolution of the Board of Trustees of December 14, 1911. The report discusses the neutrality laws of the United States from both a historical and political point of view, in order to see in how far the United States has complied with the requirements of international law, and concludes with a draft considered to be more in accord with the recognized obligations of the United States. This report will

be submitted to the Board of Trustees at the approaching meeting, and it is ready to be printed if the Trustees should decide that it be published.

(2) A report, with accompanying recommendations, on the teaching of international law in the United States, prepared in response to the resolution of the Board of Trustees of December 14, 1911, directing the Executive Committee to work out a plan for the propagation, development, maintenance and increase of sound, progressive and fruitful ideas on the subject of arbitration and international law and history as connected with arbitration, especially through addresses or courses of lectures delivered before the leading universities, colleges and law schools of the United States, and to report on the same at the next regular meeting of the Board. As a preliminary to any recommendations, the courses of study of American institutions have been examined and the report gives a detailed account as to the nature and extent to which international law is offered and studied in them. This report will be laid before the Board of Trustees with recommendations that a conference of professors of international law in our leading educational institutions be held to consider the present condition and steps for the future development of this study; that the American Society of International Law be requested to place on the program of one of its annual meetings the teaching of international law in American institutions of learning; that arrangements be made to secure the attendance of teachers of international law at that meeting.

The following new projects of the Division are recommended:

(1) The publication of the conventions and reports of the Hague Peace Conferences. The conventions of the two Hague Peace Conferences are indeed accessible to students of international law and the public interested in them, but experience shows that the conventions are not easily understood without the scientific reports which were prepared by the reporters of the Conferences to explain them, and upon which explanation they were voted. These reports have not, so far as the Director is able to ascertain, been translated into English. They are locked up in the ponderous volumes of the Conferences, which are usually beyond the reach of the ordinary student and the general public. It is therefore recommended that the texts and the reports of the conventions be translated into English and published, so that English-speaking students may be in a position to ascertain from the sources the exact meaning and purport of the work of the Hague Conferences.

(2) The translation and publication of Professor Fiore's *Diritto Internazionale Codificato*, the fourth edition of which appeared in 1909. Leaving aside the merits of this work, which is a highly respected treatise on international law, it is believed that the form of a code, in which it is written, would justify in itself its translation and publication, as it is of very great importance to students and scholars and, in a lesser degree, to the public, that a specimen of successful codification be available in English, especially in view of the movement in favor of the codification of international law.

(3) Among the projects approved by the Consultative Committee of the Institute of International Law was the proposal to establish an exchange of professors of international law. While the Director approves the recommendation, the subject requires very great consideration, both as regards the countries to be included in the exchange and the subjects of the lectures. The project is separate and distinct from the visits of distinguished public men who dwell upon the benefits of good will and conciliation. It contemplates a series of carefully prepared addresses before university audiences on phases of international law and international organization, so as to give the hearers the benefit of foreign thought and enlarge their horizon. Such a course, it is believed, would make for the internationalization of international law and tend to counteract the national prejudices and practices which seriously interfere with its impartial and systematic exposition. The Director feels that the plan is worthy of an experiment.

Attention is called to a series of monographs entitled *Das Werk vom Haag* (The Work of the Hague Conferences). Heretofore, the Hague Conferences have not received in Germany the consideration which they deserve, and it may be said that the German public is indifferent, if not hostile. Dr. Walther Schücking, professor at the University of Marburg, has undertaken the general editorship of a series of monographs dealing with all phases of the work of the two Conferences, and has associated with himself in the undertaking leading German publicists and professors of international law. It may subsequently appear advisable to encourage the series financially, if such action should become necessary in order to insure the successful completion of the work.

Attention is also called to a proposal of Sir John Macdonell to collect the most important treaties since the Peace of Westphalia and publish them with notes and critical examinations of the texts, to be based upon information obtained from the archives of the states. The Consultative Committee laid down the following general principle at its session of September 2, 1912:

Encouragement, by means of subventions, of the publication of works or of collections dealing with international law which, notwithstanding their evident scientific interest are not, by reason of their limited commercial market, of interest to publishers.

The Director is of the opinion that, should Sir John Macdonell fail to secure a publisher for this important work, the Division of International Law should properly contribute to its publication.

The third purpose included in the scope of the Division is "to promote a general acceptance of peaceable methods in the settlement of international disputes." Last year two projects under this head were approved by the Trustees, namely, the publication of all known arbitration treaties and the publication of all known international arbitrations. The steps which have been taken to

carry out each of these undertakings and the progress made are set forth in detail in the Director's report.

Finally, the Director calls attention to the Court of Arbitral Justice recommended by the Second Hague Peace Conference. This institution, if established and put in successful operation, will do more than any other agency to "promote a general acceptance of peaceable methods in the settlement of international disputes." It is important to note that the Institute of International Law at its Christiania session in 1912 discussed, for the first time, the Court of Arbitral Justice, and even went so far as unanimously to adopt a resolution favoring the establishment of the Court.

From this summary of the Director's report, it will be seen that the Division is organized; that it has entered into satisfactory relations with the Institute of International Law; that a Consultative Committee of the Institute has been constituted as an advisory body for the Division; that progress has been made upon the various projects which the Division has already undertaken; and that a number of new undertakings are proposed which, if executed, will go far to advance the aims and purposes for which the Endowment was created.

Financial Statement

The Secretary appends to this report statements showing the financial operations of the Endowment during the preceding fiscal year.

Respectfully submitted,

JAMES BROWN SCOTT,
Secretary,

WASHINGTON, D. C., November 12, 1912.

APPENDIX TO THE SECRETARY'S REPORT

Statement A.

Financial Statement Showing Revenue, Appropriations, Allotments, Amount Expended, Balance of Allotments and Balance of Appropriations Unallotted for the Fiscal Year Ended June 30, 1912.

(This statement also includes all expenditures under the appropriations of March 9, 1911, for expenses of administration and the support of existing agencies of peace for the calendar year 1911.)

RECEIPTS.

Interest on U. S. Steel Corporation bonds to March 1, 1912.....	\$565,906.25
Interest on deposits to December 26, 1911.....	2,384.05
Total receipts	\$568,290.30

DISBURSEMENTS.

	Appropriations	Allotments	Amount Expended	Balance Unexpended	Balance Unallotted
APPROPRIATION FOR SUPPORT OF EXISTING AGENCIES OF PEACE, 1911.	\$75,000.00				
For continuing in 1911 Mr. Carnegie's contributions to peace agencies		\$42,000.00	\$42,000.00		
For international visits.....		3,000.00	3,000.00		
Third National Peace Congress..		1,000.00	1,000.00		
American delegation to Interparliamentary Union at Rome	\$6,000.00				
Less reversionment.....	4,500.00				
Distribution of literature.....		5,258.89	5,258.89		
Totals	\$75,000.00	\$52,758.89	\$52,758.89		\$22,241.11
APPROPRIATION FOR ADMINISTRATION, 1911.	\$100,000.00				
Administration expenses:					
Salaries		\$19,695.91	\$19,277.76	\$418.15	
Rent		1,583.35	1,583.35		
Furniture and equipment.....		3,500.00	3,500.00		
Running expenses		12,500.00	12,499.12	.88	
Legal services in connection with charter		500.00	500.00		
Division of Intercourse and Education:					
Running expenses		4,500.00	4,453.53	46.47	
International visits		12,600.00	12,600.00		
Division of Economics and History:					
Running expenses	\$10,000.00				
Less reversionment	9,098.99				
Conference at Berne..	\$10,000.00				
Less reversionment	4,703.31				
Honorarium for members of Berne Conference		901.01	901.01		
Contracts of Committee of Research		5,296.69	5,296.69		
Division of International Law:					
Clerical assistance		8,500.00	8,500.00		
Traveling expenses		13,802.30		13,802.30	
Totals	\$100,000.00	\$85,129.26	\$70,794.74	\$14,334.52	\$14,870.74

DISBURSEMENTS—Continued.

	Appropriations	Allotments	Amount Expended	Balance Unexpended	Balance Unallotted
APPROPRIATION FOR GENERAL ADMINISTRATION TO JUNE 30, 1912.	\$28,785.00				
Salaries		\$11,810.00	\$11,766.24	\$43.76	
Maintenance of headquarters		2,825.00	2,813.75	11.25	
Stationery, office sundries, freight, etc.		5,900.00	4,993.45	906.55	
Traveling expenses		1,250.00	905.93	344.07	
Publication of year book		3,500.00	3,123.25	376.75	
Classics of international law		200.00	200.00		
Totals	\$28,785.00	\$25,485.00	\$23,802.62	\$1,682.38	\$3,300.00
APPROPRIATION FOR THE DIVISION OF INTERCOURSE AND EDUCATION TO JUNE 30, 1912.	\$100,425.00				
Expenses of Division in United States		\$7,000.00	\$4,426.53	\$2,573.47	
European Bureau and Secretariat		9,000.00	8,450.41	549.59	
Special correspondents		2,500.00	2,500.00		
Special propaganda		18,000.00	17,375.74	624.26	
Aid to periodicals		3,925.00	3,844.12	80.88	
L'Office Central des Associations Internationales		7,500.00	7,237.71	262.29	
Bureau International Permanent de la Paix		12,000.00	11,581.75	418.25	
American Association for International Conciliation		15,000.00	15,000.00		
American Peace Society		15,500.00	15,500.00		
International visits		1,000.00		1,000.00	
Entertainment of foreign visitors		5,000.00		5,000.00	
Totals	\$100,425.00	\$96,425.00	\$85,916.26	\$10,508.74	\$4,000.00
APPROPRIATION FOR THE DIVISION OF ECONOMICS AND HISTORY TO JUNE 30, 1912.	\$40,000.00				
Salaries and office expenses		\$5,000.00	\$4,814.43	\$185.57	
Honoraria for Committee of Research		8,500.00	8,500.00		
Traveling expenses of members		400.00	115.65	284.35	
Research in United States		500.00		500.00	
Contracts of Committee of Research		22,862.70		22,862.70	
Totals	\$40,000.00	\$37,262.70	\$13,430.08	\$23,832.62	\$2,737.30
APPROPRIATION FOR THE DIVISION OF INTERNATIONAL LAW TO JUNE 30, 1912.	\$6,775.00				
Clerical assistance		\$2,250.00	\$2,250.00		
Collection and publication of all known arbitration treaties		900.00	825.00	\$75.00	
Collection of all known international arbitrations		3,625.00	1,685.00	1,940.00	
Totals	\$6,775.00	\$6,775.00	\$4,760.00	\$2,015.00	
APPROPRIATION FOR EMERGENCIES TO JUNE 30, 1912.	\$100,000.00				
Reimbursement to Mr. Carnegie for sums advanced for advocating arbitration treaties		\$50,000.00	\$50,000.00		
Publication and distribution of Spanish edition of American Journal of International Law		3,400.00	3,084.71	\$315.29	
Advances to Chinese Students		5,000.00		5,000.00	
Totals	\$100,000.00	\$58,400.00	\$53,084.71	\$5,315.29	\$41,600.00

RECAPITULATION.

Purpose	Appropriations	Allotments	Amount Expended	Balance Unexpended	Balance Unallotted
For support of existing agencies of peace, 1911.....	\$75,000.00	\$52,758.89	\$52,758.89		\$22,241.11
For general purposes and administration, 1911	100,000.00	85,129.26	70,794.74	\$14,334.52	14,870.74
For Administration to June 30, 1912	28,785.00	25,485.00	23,802.62	1,682.38	3,300.00
For Division of Intercourse and Education, to June 30, 1912....	100,425.00	96,425.00	85,916.26	10,508.74	4,000.00
For Division of Economics and History, to June 30, 1912.....	40,000.00	37,262.70	13,430.08	23,832.62	2,737.30
For Division of International Law, to June 30, 1912.....	6,775.00	6,775.00	4,760.00	2,015.00	
For Emergencies, to June 30, 1912.	100,000.00	58,400.00	53,084.71	5,315.29	41,600.00
Total	\$450,985.00	\$362,235.85	\$304,547.30	\$57,688.55	\$88,749.15

Total expenditures charged under allotments	\$304,547.30
Cash on hand in office	85.00
Balance on deposit with banks	263,658.00
Total	\$568,290.30

*Statement B.***Statement Showing the Amount, Character, and Purpose of Expenditures
Appearing in Statement A by Each Division of the Endowment.**

PURPOSE OF EXPENDITURE.	Secretary's Office and General Ad- ministration	Division of Intercourse and Education	Division of Economics and History	Division of International Law	Totals
Salaries	\$29,347.88	\$2,386.13	\$6,688.85	\$3,818.28	\$42,241.14
Stationery	1,120.28	25.82	90.14		1,236.24
Postage	366.86	184.81	15.67		567.34
Rent of offices	3,800.04	933.31			4,733.35
Fuel and lights	391.66	111.85			503.51
Telegraph and telephones	404.38	64.91			469.29
Freight and express	104.39	6.75	1.15		112.29
Printing	2,232.97	702.49	457.69		3,393.15
Repairs	505.38	1,212.05			1,717.43
Furniture	6,817.31	888.52	605.30	289.25	8,600.38
Library	2,468.39				2,468.39
Sundries and miscellaneous	4,399.51	763.33	276.63		5,439.47
Traveling expenses, Trustees and officials	2,710.35	573.50	180.21	1,000.00	4,464.06
Year Book	3,115.75				3,115.75
European Bureau and Secretariat.		8,714.60			8,714.60
Special Correspondents		2,000.00			2,000.00
Subventions to societies		92,819.46			92,819.46
Aid to periodicals		3,844.12		3,084.71	6,928.83
International visits of distin- guished men		17,100.00			17,100.00
Entertainment of distinguished foreign visitors		464.16			464.16
Special propaganda		73,422.64			73,422.64
Publications for Roosevelt Room, Berlin		386.00			386.00
Expenses of Berne Conference			5,812.34		5,812.34
Honoraria of European Members			17,000.00		17,000.00
Classics of International Law	200.00				200.00
Publication of International Ar- bitrations				1,625.00	1,625.00
Totals	\$57,985.15	\$206,604.45	\$31,127.98	\$9,817.24	\$305,534.82
Total amount of expenditures					\$305,534.82
Less Miscellaneous refunds					987.52
Net amount charged against allotments					\$304,547.30

DIVISION OF INTERCOURSE AND EDUCATION

REPORT OF THE ACTING DIRECTOR

DIVISION OF INTERCOURSE AND EDUCATION

REPORT OF THE ACTING DIRECTOR

TO THE EXECUTIVE COMMITTEE:

The work of the Division of Intercourse and Education has gone on steadily and satisfactorily during the year in accordance with the plans approved by the Trustees and by the Executive Committee on December 14, 1911.

Organization of the Division

(a) *In the United States*

In accordance with the provisions of a resolution adopted by the Executive Committee on October 26, 1911, a suitable building, five stories in height and twenty feet wide, 407 West 117th Street, New York, was obtained for the use of the Division, at an annual rental of \$1,600. This building is very convenient for the Acting Director and as now improved and furnished is well suited to its purpose. This building is adequate for the present needs of the headquarters of the Division of Intercourse and Education, and in addition makes provision for the Director of the Division of Economics and History and for the American Association for International Conciliation, one of the chief agents of the Division in carrying on the work of propaganda. The sum of approximately \$1,400 was expended in repairs and alterations to the building and about \$800 was spent on furnishings and permanent equipment.

The office force consists of an Assistant to the Director, a clerk and stenographer, a messenger and a caretaker, whose annual compensation amounts to \$3,396.

A system of filing the large and rapidly increasing correspondence of the Division by subjects has been installed with a modern card index and a cross-reference index by topics. An exchange of newspaper cuttings on matters of interest and importance to the work of the Division has been established with thirteen correspondents in the Argentine Republic, Austria, England, France, Germany, Japan, South Africa and the United States. This system of exchange has already shown its effectiveness in making it possible for the Acting Director to be promptly and accurately informed as to important movements of opinion or acts which affect or might affect the work of the Division.

Inasmuch as it is the policy of the Division of Intercourse and Education to do as much of its work as possible through organizations already in existence or established for particular purposes both in the United States and elsewhere,

it is entirely possible to keep the organization of the central office small and inexpensive while carrying on its work with efficiency.

(b) *In Europe*

Pursuant to a resolution adopted by the Executive Committee on October 26, 1911, an attractive modern apartment has been leased at 24 rue Pierre Curie, Paris, at an annual rental of 5,250 francs, to serve as the headquarters for the work of the Division in Europe. This apartment is entirely new, is situated in an excellent part of Paris and has already proved most serviceable. The staff at the Paris Bureau consists of a Secretary-General, a Secretary, a clerk and stenographer, a messenger, an auditor and an accountant, whose annual compensation amounts to 16,660 francs.

As authorized by the Executive Committee the *Banque de Paris et des Pays-Bas* was appointed the official depository of funds for expenditure in Europe. Remittances are made direct to this bank from the office of the Treasurer of the Endowment and checks drawn against the sums so deposited are signed by two members of the European staff. Prof. Th. Ruysen of Bordeaux acts, in addition, as auditor and goes carefully over, month by month, the records of receipts and expenditures and certifies to their regularity and to the accuracy of the accounts. The method of financial administration and the economy shown in the conduct of the Paris Office are worthy of the highest praise.

Under the competent direction of the Secretary General, M. Prudhommeaux, with the constant advice and coöperation of the chairman, M. d'Estournelles de Constant, the work of the Division in Europe has been organized rapidly and effectively. He and his associates are in close and constant correspondence with the authoritative sources of information in various European countries, and with them will endeavor to organize more effectively than has heretofore been possible the various associations and influences making for peace and a closer international understanding in Europe. M. Prudhommeaux is also *ex officio* Secretary of the Advisory Council of the Division in Europe and of its executive committee.

(c) *The Advisory Council in Europe*

Those whose names were approved for membership in the Advisory Council (see Year Book for 1911, p. 45) were invited by the Acting Director in the name of the Trustees to serve as such. Only one of those invited declined to serve. This was the Lord Chancellor of England, Earl Loreburn, who felt that the burden of his official duties as well as the state of his health prevented him from taking on new obligations.

By authority of the Executive Committee the following additional persons have been invited to membership on the Advisory Council:

OSTWALD, DR. WILHELM (Germany).

M.D., LL.D., E.M., former Professor of Chemistry, 1887, at the University of Leipzig; 1905, visiting Professor to Harvard University; author of numerous scientific works and recipient of the Nobel prize for chemistry, 1909.

Address, Gross-Bothen bei Leipzig, Germany.

DATO, EDUARDO (Spain), (vice Don Bienvenido Oliver, deceased).

Lawyer; former President of the Chamber of Deputies and of the Royal Academy of Legislation and of Jurisprudence; former Minister of the Interior and of Justice; member of the Permanent Court of Arbitration at The Hague; deputy of the Spanish Cortez.

Address, Madrid, Spain.

WEISS, ANDRÉ (France), (vice Frédéric Passy, deceased.)

Professor of International Law at the University of Paris; Jurisconsult for the Ministry of Foreign Affairs; Vice-President of the *Société Française pour l'Arbitrage entre les nations*; member of the Institute of International Law since 1887; Vice-President of the Institute in 1902.

Address, 8 Place de Breteuil, Paris, France.

OLIVEIRA, ALBERTO D' (Portugal).

Consul-General of Portugal at Berlin; former Minister from Portugal to Switzerland; delegate from Portugal to The Hague Conference in 1907; formerly *Chargé d'Affaires* and Consul-General in Morocco.

Address, Consulado General de Portugal, Berlin, Germany.

All have accepted the invitation.

In order that the Advisory Council might be appropriately organized and its powers and duties clearly defined, a statute for its government was adopted by the Executive Committee on October 3, 1912, and at the same time an executive committee of the Advisory Council was constituted and its members appointed. This committee is to have large authority and initiative in carrying on the work of the Division in Europe. The members of the executive committee of the Advisory Council in Europe as designated for the first term of two years are:

Baron Carl Carlson Bonde, Sweden.

M. Jean Efremoff, Russia.

Baron d'Estournelles de Constant, France.

M. P. Eyschen, Luxembourg.

Prof. H. Lammasch, Austria.

J. Ramsay MacDonald, Esq., M.P., Great Britain.

Rt. Hon. Baron Weardale, Great Britain.

M. André Weiss, France.

Prof. Philipp Zorn, Germany.

On May 27, 1912, the provisional executive committee of the Advisory Council met in Paris and the Advisory Council itself was in session on the two days following. On July 22, 23, 24 and 25 the Acting Director was in Paris for a series of conferences with the members of the administrative staff of the European Bureau and Secretariat. At these various meetings many points of

detail were settled and the organization of the work in Europe was definitely planned. Reference to the complete reports of these meetings will show with what directness and precision the European associates and collaborators of the Endowment approach the important task which has been committed to them.

It is not the purpose of the Acting Director to make recommendations for action affecting Europe, either to the Executive Committee or to the Trustees of the Endowment, until the judgment and recommendations of the Advisory Council in Europe or its executive committee shall have been had thereon. It is of the highest importance to make the work of this Division truly international from the outset, to secure for it the largest possible measure of good-will, sympathy and coöperation. It is of value to make it plain that through the work of this Division, America is not imposing unwelcome acts and policies upon the friends of international peace and arbitration in European countries; but rather is seeking to coöperate with them in promoting the ends to which all are alike devoted. It is expected that the executive committee of the Advisory Council in Europe will meet several times each year for the transaction of necessary business. Much of the work of the Advisory Council itself can doubtless be carried on by correspondence; but occasional meetings of the entire membership of the Council will be found valuable, as the experience of last May so clearly proved.

During July and August, 1912, the Assistant to the Acting Director visited England, France, Belgium, Germany, Austria and Switzerland, making the personal acquaintance of those who are associated with the work of the Division in these countries, familiarizing himself with their methods of financial administration, and also conferring with members of the Committee of Research of the Division of Economics and History.

To the list of correspondents of the European Bureau heretofore appointed (see Year Book for 1911, p. 51) the following additions were made in accordance with action taken by the Executive Committee on October 3, 1912.

EDOARDO GIRETTI (Italy).

Doctor of Law and Economy; publicist, contributing to political and economic papers, to *Il Secolo*, *La Ragione*, *La Riforma Sociale*, *Il Giornale Degli Economisti* in Italy; to *Le Courrier Européen*, *Le Journal des Economistes*, in France; to *The Economist* in England, etc.; in 1896 founded the *Società per la Pace* of Torre Pellice, and in 1898 organized the Congress for Peace in Turin; for many years member of the committee of the *Bureau international permanent de la Paix*, of Berne; member of the *Société d'Economie Politique* of Paris; honorary member of the Cobden Club, London; member of the council of the International Free Trade League.

Address Bricherasio, Italy, Piemonte.

SANCHEZ DE SILVERA (Spain).

M.D.; former Consul for Spain; former Consul for Colombia; Honorary President of the first National Spanish Congress against Tuberculosis, 1910; President of the Society for the Protection of Animals (Nantes District).

Address, Nantes, France.

Le Bureau International Permanent de la Paix at Berne

The organization and purpose of this Bureau were fully set out in the last annual report of this Division (see Year Book for 1911, p. 53). A subvention of \$12,000 was allotted to the Berne Bureau for the six months ending June 30, 1912, and subsequently the sum of \$24,000 was allotted for the year ending June 30, 1913. For the reason stated in the last annual report, the task of making allotments in support of national peace societies was entrusted to the Berne Bureau and the Bureau was requested to devote not less than \$4,000 of its annual subvention to this end. An examination of the report of the Berne Bureau indicates that the subvention from the Carnegie Endowment forms 91½ per cent. of the Bureau's total income. During the year the Bureau has purchased a house in Berne for its headquarters subject to mortgage, and has organized an administrative staff consisting of a Director, a Secretary-General and Editor, an Assistant Secretary, a secretary to the Director, and a library clerk, at a total annual compensation of 27,800 francs.

The *Correspondence bimensuelle* was changed on January 1, 1912, into a magazine of propaganda appearing in an edition of 20,000, in three languages, French, German and English, entitled respectively *Le Mouvement Pacifiste*, *Die Friedensbewegung* and *The Peace Movement*. This step has not commended itself to the judgment of all of the collaborators of the Endowment in Europe. It is held by some that the new magazine is unnecessary and has entered the field already well occupied by other publications and in so far duplicates both labor and expenditure. The questions raised in connection with this publication are still under examination both by the authorities of the Berne Bureau and by the Committee of the European Secretariat of this Division.

Pending the organization of the Division's own Advisory Council in Europe and the constitution there of an executive committee with definite powers, the allotments for the work of special propaganda in Europe, including subventions to national peace societies, were made, for reasons already given, through and by the Berne Bureau. Now that the work of the Endowment in Europe is completely organized and its own agencies for administrative work have been created, it is proposed to entrust the duty of making allotments for special propaganda, including subventions to national peace societies, to the executive committee of the Advisory Council of the Division in Europe, with the proviso that before making an allotment to any given national peace society all the members of the Advisory Council who represent the nation in which that society is located shall be given opportunity to express an opinion both as to the advisability of the allotment and as to its amount.

In the judgment of the Acting Director, it should be the policy of the Trustees of the Carnegie Endowment not to take over permanently so large a share of the support of the Berne Bureau as is now the case, but rather to put the Bureau in position to demonstrate its value as an agency of propaganda, with the expectation that it will gain for its work support from other sources in Europe

and elsewhere, in order that the subvention from the Carnegie Endowment may be reduced from time to time until it reaches a much smaller proportion, say 25 per cent. or 20 per cent. of the whole income of the Bureau, instead of 91½ per cent. as at present.

L'Office Central des Associations Internationales at Brussels

At the meeting of the Executive Committee held on December 14, 1911, \$7,500 was allotted to *L'Office Central* to assist its work for the six months ending June 30, 1912. At the meeting of the Executive Committee held May 25, 1912, the further sum of \$15,000 was allotted for a like purpose for the year ending June 30, 1913. The purpose of these subventions was to aid *L'Office Central* to carry on work which it already had under way, including an international bibliography, the publication of *La Vie Internationale*, the sending of delegates to special international congresses, the building of an international museum at Brussels and the cost of holding conferences of international associations.

It is understood that progress in all these matters has been made during the past year, but the officials of *L'Office Central* have not yet complied with the request for a detailed annual report as to their activities.¹

The continuance of aid to *L'Office Central* should of course be conditioned upon the general approval of the usefulness of its work by the Executive Committee of the Advisory Council in Europe. It would also seem not unreasonable to ask that so important an undertaking should be able to secure from other sources an annual income at least equal to the amount allotted to it by the Endowment.

Aid to Periodicals

Support has been furnished to four of the more important European periodicals devoted to the movement for peace and arbitration.

1. *Die Friedens-Warte*. This journal, edited by Alfred H. Fried, is published monthly at Berlin, Vienna and Leipzig. To it, the most important journal of its kind published in the German language, a subvention amounting to \$6,000 annually has been given in order to meet the cost of sending 4,000 additional copies of the journal to individuals, associations and libraries. Beginning on January 1, 1912, the number of pages of each issue was increased from 32 to 40, and 4,076 new addresses were added to the mailing list. These addresses include students, teachers, university professors, organizations of students and teachers, societies of lawyers, journalists, publishers, editors, diplomats, publicists, members of the Reichstag and of the Austrian Parliament, libraries, reading rooms, newspapers and periodicals. The value of *Die Friedens-Warte* has been increased by the success of the editor in obtaining articles from writers of distinction. It is a satisfaction to observe the growing influence

¹The annual report of *L'Office Central* was received after this report was submitted.

of this journal in German-speaking countries and also the extent to which it is quoted and referred to elsewhere.

2. *La Paix par le Droit*. This journal, edited by MM. Prudhommeaux and Le Foyer, is published twice monthly at Paris, under the supervision of a committee of which M. Charles Richet is president. The annual subvention granted to this journal, the influence of which is considerable in France and perceptible in Russia, Italy, Spain and Belgium, is \$1,350. Of this amount \$600 was applied to meet the cost of 1,000 additional copies to be mailed to individuals and associations other than those previously receiving the journal. The remaining \$750 has been applied to the general support of the periodical, the annual subscription price of which, three francs, is exceedingly small.

Each issue of *La Paix par le Droit* consists of 32 pages. During the first quarter of 1912 a large number of sample copies were mailed, with the result that 800 new subscriptions were received. The circulation, including the 1,000 copies paid for by the subvention, has increased during the year from 3,500 to 5,000. Two thousand copies of the journal are now sent regularly to university libraries and to members of parliament in countries other than France.

3. *The Arbitrator*. This journal, which is the organ of the International Arbitration League, is published monthly at London. The subvention amounting to \$250 annually has been given in order to meet the cost of 1,000 annual subscriptions. The total circulation is now about 2,000. Free copies of the paper have been sent statedly to public libraries, reading rooms of coöperative societies, to secretaries of trade unions, to various schools and guilds, to the more important newspapers in Great Britain, to members of parliament and to representative men and women in Great Britain and elsewhere.

The Arbitrator is conducted on broad lines and makes an appeal to many readers who could not be reached by purely pacifist publications.

4. *Herald of Peace*. This journal is the organ of the Peace Society and is published quarterly at London. The subvention of \$250 has enabled the publishers to circulate 666 additional copies of each issue. The report from this journal is not sufficiently full to enable a final judgment as to the value of the subvention to be passed.

Special Correspondents

The four gentlemen appointed as Special Correspondents of the Division of Intercourse and Education have been most active during the year and have kept the Acting Director well informed of the movement of opinion in their several countries, of the literature of the subjects with which the Endowment has to deal, and of various specific public acts and undertakings of more than usual significance.

Mr. Fried, whose headquarters are in Vienna, devotes his entire time and energy to the work of propaganda including the editing of *Die Friedens-Warte*, the publication of pamphlets dealing with special topics and the invaluable *Handbuch der Friedensbewegung*. He has a thorough knowledge of the pub-

lic opinion of Germany and of Austria, and is in close touch with many important leaders in the public life of those countries.

Mr. Hirst, whose headquarters are in London, where he is the editor of *The Economist*, has kept the Acting Director well informed on many matters of importance, particularly those bearing upon the present day relations between the several European governments. His letters contain much confidential information of interest and value, and a report prepared by him on the situation in the Balkans just before the recent outbreak of hostilities, prepared the way for a clear understanding of what has followed. During the year Mr. Hirst has lectured frequently in Great Britain, particularly on the cost of armaments and their present increase, and the exemption of private property from capture at sea. His lectures have been delivered at important centers such as Manchester, Newcastle, Aberdeen and Dundee. He has written frequently to leading newspapers on these and related topics. His special report upon the Balkan peninsula was the result of a visit made to the Balkan states for the special purpose of informing himself at first hand of Austria's attitude toward the South Slav problem and the problem of Macedonia.

Mr. Miyaoka, whose headquarters are in Tokio, has shown great zeal and competence both in his correspondence dealing with Asiatic conditions and in his efforts to aid in the success of the recent visit to Japan by Dr. Eliot. Through detailed reports and numerous cuttings from newspapers and periodicals, he has kept the Acting Director closely informed regarding matters of importance in Japan and in China. The large amount of work carried on by Mr. Miyaoka has rendered it expedient to make him a small allotment for clerical assistance.

Professor Paszkowski, whose headquarters are in Berlin, is at all times exceedingly active in promoting friendship and better relations between university students of various European nations. As Director of the *Universitäts-Auskunftstelle* at the University of Berlin, and as Director of the *Böttger Studienhaus*, he has many opportunities to work effectively for the promotion of better international relations. He conducts courses of instruction for foreign students in the German language and literature and arranges lectures and debates for their entertainment and instruction. He organizes excursions to points of literary, artistic and historic interest and does all in his power to make these excursions instructive as well as entertaining. During March, April and May, 1912, Professor Paszkowski visited the United States and delivered a large number of lectures throughout the country under the auspices of the Germanistic Society of America.

Too much cannot be said in praise of the work of these correspondents. They have become not only the eyes and ears, but the hands of the Acting Director in their respective countries. By reason both of their personal qualifications and their official positions they are able to render most unusual service to the Division of Intercourse and Education. Much of the information which

they send is so confidential in character that it is not wise to print it even for the confidential information of the Trustees.

In addition to the formal correspondents of the Division, Mr. Frank N. West, of Buenos Aires, has written several letters of interest and an exchange of newspaper cuttings has been established with him on topics relating to the Latin American countries. Mr. West is anxious to assist the cause of international peace and arbitration and is willing to continue to render service to the Division without remuneration.

Special Propaganda

The last annual report (see Year Book for 1911, p. 60) described Viscount Haldane's Oxford address and gave the reasons for its prompt circulation in Germany. It is worth notice that this act of the Division of Intercourse and Education probably exerted a most valuable influence on German opinion at a crucial moment. The public press and the correspondence of the Acting Director have abounded in allusions to the good effects which followed from the circulation in Germany of Lord Haldane's paper. It probably paved the way for the important visit of Lord Haldane himself, made a few months later and widely heralded in the press of the world. The interest in the address has been so great that, at the suggestion of the Acting Director, the American Association for International Conciliation published the address in English and distributed about 2,000 copies to a selected list of libraries, reading rooms and individuals.

By authority of the Executive Committee arrangements have been made for the translation of *The Great Illusion* by Norman Angell (Mr. Ralph Lane) and for its effective distribution in inexpensive form in the following countries: Germany, France, Italy, Japan, Spain and Spanish America, United States, India and China. A complete campaign has been mapped out and the actual work was begun in September, 1912. Careful explanatory articles have been written conveying in brief form the ideas embodied in the book. While the aim of these articles is to aid in the circulation of the book in a very cheap form, they also serve to bring to the public notice a statement of Norman Angell's ideas which probably could not be had in any other form. These brief articles are a method of presenting a note of interrogation on the whole subject of international peace to many millions of newspaper readers who perhaps have never heard of the book and most of whom certainly never will read it in full. For Latin America a somewhat different method of propaganda has been pursued. Arrangements have been made to supply copies of the book, without charge, to the members of every government, of every legislature and to a selected list of public men in those countries. In all, some 10,000 copies will be used in this way.

Relations With Latin America

The Executive Committee on October 26, 1911, authorized the Acting Director to arrange for an exchange of visits by scholars and scientists between

Latin American countries and the United States. Correspondence was at once begun with the diplomatic representatives of Latin American countries in Washington and the undertaking was received with universal sympathy and approval. It has not been possible, however, to bring about such visits as were contemplated, during the past year. Correspondence with the Latin American capitals is necessarily slow and the barrier which the difference of language presents is in some ways an almost insurmountable one. Dr. Luis M. Drago, formerly Minister of Foreign Affairs for the Argentine Republic, and known all over the world for his contributions to international law and jurisprudence, was invited, under date of December 18, 1911, to be the first representative of Latin America to visit the United States under the proposed plan. Dr. Drago accepted the invitation by cable and expressed the keenest interest in the proposed undertaking and a high appreciation of the responsibility which his selection involved. Dr. Drago completed his preparations for the trip, but on reaching Europe found that the state of his health was such that he could not go forward with his plans. After a prolonged course of medical treatment he felt obliged to return to the Argentine Republic. While therefore there will of necessity be some delay in carrying out this part of the program of work authorized by the Executive Committee, it has by no means been abandoned.

It has not been practicable to arrange during the year 1912-1913, for the visit of a representative American citizen to the Latin American countries. It is hoped, however, that during the year 1913-14 an exchange of visits as heretofore contemplated will be carried out.

Relations With Japan

The plan for an exchange of visits between representatives of Japan and of the United States, as authorized at the meeting of the Executive Committee held October 26, 1911, has gone forward successfully. The kindly coöperation of the diplomatic representatives in Washington has assisted materially in the success of the undertaking.

About October 1, 1911, Dr. Inazo Nitobe, one of the best known educators in Japan, arrived in San Francisco. The first two weeks of his visit were devoted to a study of conditions in the State of California and to making the acquaintance of his fellow-countrymen resident there. He also addressed informally the students of Leland Stanford Jr. University, of the University of Southern California in Los Angeles, and of the Pacific College in San José. Dr. Nitobe then entered upon the plan of work arranged by the Acting Director (see Year Book for 1911, p. 63), and made successive visits of approximately five weeks each to the following universities:

Brown University, Providence, R. I.

Columbia University, New York, N. Y.

Johns Hopkins University, Baltimore, Md.

University of Virginia, Charlottesville, Va.

University of Illinois, Champaign, Ill.

University of Minnesota, Minneapolis, Minn.

The subjects of Dr. Nitobe's formal lectures were the following:

Introduction—The East and the West; The Land or Geographical Features; The Past in its Significance for the Present; Race and Racial Traits; Morals and Moral Ideals; Religious Beliefs; Economic Conditions; American-Japanese Relations.

These lectures have recently been issued in a volume entitled *The Japanese Nation*, by Messrs. G. P. Putnam's Sons of New York.

In addition to these formal lectures, numerous conferences were held with small groups of professors and students and addresses were made before many clubs, educational institutions, boards of trade, chambers of commerce and historical, scientific and geographic societies. During his visit Dr. Nitobe delivered in all 166 addresses and was heard by not fewer than 40,000 persons. While in America he made a four weeks' cruise to the West Indies and the Panama Canal. The officers of the various institutions visited by Dr. Nitobe have written in terms of high enthusiasm both of his personality and of the successful results of his trip.

By the terms of the arrangement with Japan a representative of the United States is to visit that country in alternate years. The Executive Committee on May 25, 1912, authorized the Acting Director to invite Dr. Hamilton W. Mabie to accept designation as exchange lecturer in Japan for 1912-13. Dr. Mabie accepted the invitation and is expected to arrive in Yokohama December 2, 1912. He will visit the principal cities and universities of Japan and is assured of a cordial and hospitable welcome everywhere. It is not his purpose to discuss questions of business or of politics. The general subject of his lectures will be "The American Spirit, Ideals and Character." He goes to Japan simply to interpret the American as he is and as his origins and history exhibit him. He has arranged to deliver some eight or ten formal lectures and will undoubtedly be called upon for a large number of informal speeches and addresses.

There is every assurance that the arrangement thus happily begun will be permanent. The Japanese Ambassador at Washington, writing to the Acting Director under date of July 25, 1912, stated that

the people in Japan who are principally interested in the success of the undertaking have organized themselves into an association styled *New York Nihon Kyokai Sanjokai* (Associate Society of the Japan Society of New York). The new organization will in future be the proper party with whom all communications are to be conducted regarding the business connected with the undertaking. But, in view of past relations with the matter, this Embassy will always be prepared to act as intermediary whenever it may appear convenient to do so.

I may add that the new society purposes to cooperate with the Japan Society of New York to promote the already existing friendly relations

between Japan and the United States and, with that end in view, has assumed the responsibilities in connection with the exchange of lecturers as stated above. The president of the society is Baron Eiichi Shibusawa, who is assisted by a committee consisting of Messrs. Junnosuke Inouye, Zenjuro Horigoshi, Eijiro Ono, Motosada Zumoto, Manzo Kushida and Kikusaburo Fukui.

The Professorship of American History and Institutions at the University of Berlin

With a view of making plain the character, extent and value of the services to the cause of better international relations rendered by the successive incumbents of this chair, there is inserted herewith a letter written by way of report under date of September 30, 1912, by Professor Paul S. Reinsch, of the University of Wisconsin. He was the incumbent of this professorship during the year 1911-12.

Letter from Professor Paul S. Reinsch

MADISON, WIS., September 30, 1912.

Having returned to Madison, I desire to submit to you a brief report upon my activities during the past year as incumbent of the Roosevelt professorship at Berlin and Leipzig.

My inaugural lecture was given at Berlin on the 2d of November, 1911, upon "New Developments in American Political Life." The lecture was attended by Prince August Wilhelm, who represented the Emperor, and brought greetings from His Majesty; by a number of high officials, and a large attendance on the part of colleagues from the university, students and other hearers. During the semester at Berlin, I gave a lecture course on American government and politics, and conducted a seminar on American foreign affairs;—in addition I gave a weekly lecture upon phases of American political and social life. The average attendance in the latter was 250 to 300 students;—in the lecture course 30, in the seminar 12.

At the University of Leipzig, I gave my inaugural lecture upon "The New Nationalism" in the presence of a representative of the Saxon Ministry of Education, the local representative of the Saxon Government, and a large number of professors and students. During the semester I gave a weekly lecture course similar to the one at Berlin, attended by two hundred to two hundred and forty students; a lecture course on American constitutional law in the juristic faculty, attended by nine students, and a seminar on American foreign affairs attended by fourteen students.

In addition to my work at the Universities of Berlin and Leipzig, I delivered the following outside lectures:

AT BERLIN

Before the Wheeler Society upon "The Freedom of Intellectual Life in America."

Before the Lessing Society upon "The American Theater."

Before the Women's Lyceum upon "The Crisis in China."

Before the Student's Federation upon "The German Elements in the United States."

Before the Society of Comparative Jurisprudence upon "American Legislature."

Before the Berlin Juristic Society upon "The Power of the Judiciary."

Before the American Women's Club upon "American Foreign Affairs."

I also gave the address at the American Thanksgiving celebration.

AT BREMEN

Before the Commercial Union upon "New Forces in American Life."

At the University of Kiel upon "The United States and the Far East."

At the University of Munich upon "New Developments in American Political Life."

At the University of Göttingen upon "Intellectual Life in America."

Before the International Club at the University of Göttingen upon "The New Internationalism."

Before the International Club at the University of Leipzig upon "South America."

During the year I contributed the following articles to German periodicals: *Internationale Monatschrift*, an article on "National Diversities in South America," November, 1911; "New Forces in American Political Life," February, 1912;—*Preussische Jahrbücher*, on the "New Nationalism," October, 1912;—*Juristische Zeitschrift*, on "American Legislature and the Judiciary Power";—in the *Blaetter für Rechtswissenschaft* on "Methods of Improving American Legislature";—in *Die Friedens-Warte* on "The Entry of China in the Family of Nations";—in the *Zeitschrift für Politik* on "America and the Far East."

My stay in Berlin was made profitable and agreeable not only through the inherent interest of the work of the professorship, but also through the advantages of many kinds which were thrown open through the kindness and hospitality of the German Government which in all its departments and members that had anything to do with the professorship manifested a spirit of the greatest friendliness and helpfulness. The self-sacrificing considerateness of Professor Paszkowski in looking out for the interests of the professorship cannot be overstated; not only is it his purpose to maintain the dignity and importance of the professorship, but he also put himself and his knowledge of the local situation entirely at the disposal of the temporary incumbent.

The organization of the American Institute was not further developed. The plan of having an advisory council of which the exchange professors were to be members was not carried out and the interregnum in the institution continued. The young men in charge of the institution at the present time showed themselves in every way obliging to the Roosevelt professor, and in many ways contributed to facilitate his work and to make general conditions agreeable.

My relations with Professor Theobald Smith of Harvard University were most pleasant. We sought to coöperate in every way and gave some of our social entertainments in common.

* * * * *

While my period of service as Roosevelt professor has come to an end, I feel as if my work for the cause which that professorship represents had just begun, and I shall therefore be deeply obliged to you if you will let me know whenever I can be of service in helping to advance the aim for which the professorship was founded.

It will be observed that this report bears out the statement made in the last annual report of the Acting Director (see Year Book for 1911, p. 65) that "the holder of this professorship for the year is a veritable missionary of American spirit and American culture throughout the German Empire." Not only are Prussia, Saxony and Bavaria interested in this undertaking, but the Austrian Government has lately caused inquiry to be made as to whether or not the benefits of this professorship could not be extended to the Austrian universities. Similar inquiries have been made by scholars in the Scandinavian countries. At the University of Paris an undertaking somewhat similar in character is well under way. All these projects are worthy of careful study. It is after all to the intellectual classes of the various nations that the Carnegie Endowment must first look for sympathy and help. Through their aid and by their power of interpretation at home, the Endowment will later be able to affect general public opinion, the press and the governments.

International Visits by Representative Men

This branch of the activities of the Division of Intercourse and Education is one of the most promising as well as one of the most important. As authorized by action taken by the Executive Committee on October 26, 1911, Dr. Charles W. Eliot undertook a visit to Asiatic countries in the interest of the work of the Division of Intercourse and Education for the purpose of informing himself and the officers of the Endowment somewhat fully and precisely as to conditions prevailing in that part of the world.

Dr. Eliot sailed from New York for Europe on November 7, 1911. While crossing the Atlantic he wrote a valuable paper in support of the then pending arbitration treaties between the United States and Great Britain and France. This paper was widely circulated by the Associated Press. On reaching Paris, Dr. Eliot was introduced to the international arbitration group of the French Senate and Chamber of Deputies and conferred with Baron d'Estournelles de Constant as to the best methods of advancing the work of the Division.

Unfortunately, while en route to the Far East, Dr. Eliot was stricken with appendicitis. Happily he was able to receive satisfactory surgical treatment and relief at Ceylon, and after a stay there of some weeks resumed his journey, having made a complete recovery from his illness. Because of this interruption, Dr. Eliot omitted his proposed visit to India and proceeded directly to China, reaching Hong Kong March 22, 1912. He delivered a number of public lectures on American Institutions and Ideals and held conferences with

prominent and influential men in various parts of China. He was in China at a most interesting time and had every opportunity to study and discuss the new governmental forms which the people of China were developing and adopting. Among other services, Dr. Eliot studied the financial needs of the Chinese Republic and addressed an important letter on this subject to the Premier, carefully outlining a practical plan for financial administration which included the designation of a board of competent advisers in foreign countries. Dr. Eliot next visited Japan where he spent thirty days. During that time he delivered a large number of addresses and received much and generous hospitality. As Dr. Eliot has under way a detailed report upon the results of his visit to the Orient, it will not be necessary here to allude more at length to those topics mentioned by him in correspondence which will be included in his formal report.

Conditions in Great Britain

It is the judgment of the best advisers whom the Acting Director has consulted that the statements as to conditions in Great Britain made in the last annual report (see Year Book for 1911, p. 67) were correct, and that they are still true. It seems difficult to understand that a nation so rich and containing so many men and women of broad vision as Great Britain, cannot give, or does not give, more adequate support to the organized efforts that are there made in behalf of international peace and arbitration. The most encouraging event of the year in Great Britain is the organization in April, 1912, of the Garton Foundation for Promoting the Study of International Polity. The trustees of this foundation are three in number: they are Sir Richard Garton, the founder, Lord Esher and the Right Honorable Arthur J. Balfour. It goes without saying that better or more influential names could not be found in all Great Britain. The trustees have made Norman Angell (Mr. Ralph Lane) their executive officer and have placed him in charge of the work of propaganda. The objects of the foundation are stated to be:

To furnish lecturers for existing bodies, such as the Y. M. C. A. and Polytechnic and Debating Societies, in order to create interest in the subject amongst the general public.

To utilize this interest, when aroused, by organizing courses of lectures in local centres.

To render the movement permanent by the foundation of Study Centers or Clubs.

Nearly three hundred popular lectures have already been arranged for the winter of 1912-13 to be given throughout England. These are to be supplemented by an offer of money prizes for essays on various subjects connected with international relationships. The Garton Foundation has at its service the sum of £3,000 per annum—about \$15,000. The trustees of the Foundation hope that the Carnegie Endowment will aid them in their work if it should later ap-

pear that such aid is necessary. The Executive Committee on October 3, 1912, formally expressed its pleasure at the organization of the Garton Foundation and its desire to coöperate with it.

It is greatly to be desired that the National Peace Council should be strengthened and developed. This council, as was described in the last annual report (see Year Book for 1911, p. 67) is a federated body which aims to bring about unity and coördination in the work being carried on throughout Great Britain in behalf of international peace and arbitration. Perhaps the best service that could be rendered to the work of propaganda in Great Britain at the moment would be to take such action as may seem desirable to strengthen the hands of the National Peace Council and in making it an object for the various separate peace organizations to coöperate with it.

During the year the Berne Bureau allotted 3,500 francs (\$700) in aid of the national peace societies in Great Britain. This amount is evidently insufficient to enable those societies to improve their work, and the share of it which reached the International Arbitration League was not sufficient to continue the annual subscription formerly made personally to this organization by Mr. Carnegie, with a view to enable the League to meet the conditions imposed by the will of Sir Randal Cremer, who left to it the bulk of his estate. It was for this reason that the Executive Committee at the meeting held October 3, 1912, took action to increase the allotment to this organization so that it would amount to \$1,000 annually. Both from the report of the secretary of the League, F. Maddison, Esq., and from opinions expressed by the British members of the Advisory Council in Europe, there is reason to believe that good results will follow from this modest allotment.

Reference should also be made to the fact that the Association for International Conciliation is extending its organization into Great Britain, and that the late Lord Mayor of London, Sir T. Vezey Strong, has taken hold of the work of organization with characteristic energy and determination.

The only allotment made between July 1, 1911 and June 30, 1912, for the aid of the work of propaganda in Great Britain,—except those mentioned under "Aid to Periodicals," see page 66, is the allotment of 3,500 francs (\$700) made by the Berne Bureau to the National Peace Council, London, for distribution to the various national British peace societies.

The Work of Propaganda in the United States.

The Acting Director is entirely clear in the opinion formed as a result of two years of study of conditions which prevail both in European countries and in the United States, that the work of propaganda in support of the ends which the Endowment has been established to serve, can be carried on most effectively and economically not through peace organizations alone, but through organizations having a broader scope and making a wider appeal. Those persons who become members of a society whose name indicates that it is de-

voted to peace, are already converted. In every nation in the world there are hosts of right-thinking and well-minded men and women who, while wholly unwilling to affiliate themselves with any peace society, are ready and anxious to assist in the work of promoting better international understandings and closer international relationships from which peace will result as a by-product. The function of the peace societies is a distinctive and very important one. They may well form a compact and effective body of workers in the cause of international peace and arbitration, who constitute as it were the advance guard of the great army which it is hoped can be recruited and brought into active service. In the present state of public opinion throughout the world, the best use which the Carnegie Endowment can make of such portion of its funds as can be devoted to the work of active propaganda, is to build up and support organizations which give evidence of a willingness and a capacity to promote closer international relations, to advance the knowledge on the part of each civilized people of its fellows, and to multiply the ties of friendship and concord between the great nations of the earth. Among these organizations peace societies will of course be found, but it would not be judicious to entrust the whole work of propaganda to them.

For reasons set out in the last annual report (see Year Book for 1911, p. 68), the Executive Committee selected the American Peace Society as that one of all the existing organizations of this character in the United States which it would utilize as an agency of propaganda. At the same time the Committee made it a condition that the work of the various peace societies should be unified and coördinated with a view of preventing duplication and waste of expenditure and effort. The suggestions made to this end were promptly and sympathetically responded to by the officials of the organizations concerned, and at the meeting of the Executive Committee held May 25, 1912, the Acting Director was able to present the constitution of the American Peace Society as revised at an annual meeting held May 10, 1912. The executive offices of the American Peace Society have been transferred from Boston to Washington; new branches of the society have been organized in the States of Maine, New Hampshire, Vermont and Nebraska. Five general departments of work have been created as follows:

New England, with administrative office at Boston.

New York and New Jersey, with administrative office at New York.

South Atlantic States, with administrative office at Atlanta.

Central West, with administrative office at Chicago.

Pacific Coast, with administrative office at Los Angeles.

In association with Dr. Trueblood, the Secretary of the Society, Mr. Arthur D. Call, formerly superintendent of schools at Hartford, Connecticut, was chosen to fill the newly created position of Executive Director. Mr. Call assumed his new duties on September 1, 1912.

The American Peace Society publishes *The Advocate of Peace* monthly

and has also contributed pamphlets, leaflets, and books in large number. Lectures on various topics have been arranged in many parts of the country. A vigorous campaign was carried on in favor of prompt ratification by the Senate of the general arbitration treaties with England and France. The annual report of the Society sets out in full the activities of the Society during the year and makes a request for additional subvention. The fact that the American Peace Society has really become the central organization of all important American peace societies is shown by the fact that the annual report submitted by its Secretary is accompanied by reports from the New York Peace Society, Chicago Peace Society, Massachusetts Peace Society, New Hampshire Peace Society, Washington, D. C. Peace Society, Pennsylvania Arbitration and Peace Society, Deutsche-Amerikanische Friedensgesellschaft, Connecticut Peace Society, Intercollegiate Peace Association, Maryland Peace Society, Southern California Peace Society, Peace and Arbitration Society of Buffalo, N. Y.

The allotment in aid of the American Peace Society was \$15,500 for the half year ending June 30, 1912 and \$31,000 for the year ending June 30, 1913.

Treaties of General Arbitration with Great Britain and France

The vigorous campaign in favor of the ratification by the Senate of the United States of the treaties of general arbitration with Great Britain and France was regrettably unsuccessful. The work was carried on with great zeal, intelligence and devotion under the personal direction of Mr. Francis B. Loomis of Springfield, Ohio, formerly Assistant Secretary of State of the United States. An honorary Citizens' Committee was created, membership on which was accepted by several hundred prominent and influential men. Delegations of eminent citizens went to Washington to confer with Senators in person and to urge upon them the ratification of the treaties. Through the press, the clergy and by mass meetings held in large cities throughout the nation, great popular interest was aroused. The action of the Senate in amending the treaties before ratification was a great disappointment to a large body of opinion and has left the ultimate fate of the treaties themselves in doubt.

The special allotment made to meet the cost of the campaign in favor of the ratification of the general arbitration treaties was \$50,000. Of this amount \$45,674.59 was expended by the Citizens' Committee of which Mr. Loomis was the executive officer, and the balance, \$4,325.41, was returned to the treasury.

Association for International Conciliation

The Association for International Conciliation reaches a very large number of persons both in the United States and in Europe who are willing co-workers with the Division of Intercourse and Education and in a way its most effective coworkers, but who are, with occasional exceptions, not ready to identify themselves with a distinctively peace society. The Acting Director,

having had opportunity to observe the success that has attended the efforts of this important organization, has given his aid to carry into effect various suggestions to extend its activity into countries where it has not heretofore existed. The parent society, founded in Paris in 1905 by Baron d'Estournelles de Constant, carries on most vigorous and highly appreciated activities in France. It includes in its membership a number of the leading French statesmen, publicists and scholars and has won for itself a distinct and well recognized place among the forces which help to mould public opinion in France.

A full report on the activities of the *Conciliation Internationale*, including a financial statement, has been made to the Acting Director.

The American branch of the Association for International Conciliation had been selected by Mr. Carnegie some years before the organization of the Carnegie Endowment, as a body which he thought it wise to aid because of its peculiar constitution and field of work. The American branch has become during the last two years the chief agency for propaganda in the United States of the Division of Intercourse and Education as well as in many respects the agency of the Division in dealing with a certain type of problems that arise in European countries. The report of the Secretary of the American branch will be laid before the Executive Committee and the Trustees. During the year steps have been taken to organize branches of the *Conciliation Internationale* in Germany, in Great Britain, in Canada, and in the Argentine Republic. In Germany the movement has met with most gratifying success. The organization established there is known as the *Verband für internationale Verständigung*, and has its seat at Frankfurt-on-the-Main. Its chief executive officer is Dr. Nippold, the well known international lawyer, formerly professor at the University of Berne. Several hundred prominent men in all parts of Germany have joined the new organization and for the first time there is now in Germany a compact and well organized body of leaders of opinion working for the cause which it is the purpose of the Carnegie Endowment to promote. In view of all the circumstances this may well be regarded as the most gratifying and hopeful accomplishment of the year in the Division of Intercourse and Education.

In Great Britain Sir T. Vezey Strong, recently Lord Mayor of London, has undertaken the organization of a branch of the *Conciliation Internationale*; in Canada, Mr. MacKenzie King, formerly Minister of Labor, is performing a similar service; and Señor Drago has agreed to recommend some appropriate person in Buenos Aires to become organizing secretary of the branch to be established there. The various publications issued by the *Conciliation Internationale* in all its branches are read by tens of thousands of persons and are regularly on file in the reading rooms and libraries of hundreds of cities, towns and educational institutions. Being substantially uniform in type and in appearance, they are easily recognized and they have established themselves as a familiar and welcome addition to the stated reading of a large portion of the intelligent public in this country and abroad.

Through the American branch of the Association for International Conciliation remittances have been made to the parent society in Paris and to the central administrative bureau of the Interparliamentary Union at Brussels. It will appear from the following summary in how many different ways this Association has proved itself useful:

As an agent for the Division of Intercourse and Education for the circulation in Germany of an edition of 250,000 copies in the German language of an address on England and Germany by Viscount Haldane, Secretary of State for War (see Year Book for 1911, p. 60).

For the circulation in America of an edition of 2,000 copies in the English language of the same address.

For the printing and distribution of an address by Sir Charles Fitzpatrick of Canada, delivered at the Fifth Annual Meeting of the American Society of International Law, and an address by His Eminence Cardinal Gibbons, delivered at the Third National Peace Congress held in Baltimore.

For advances to Chinese students resident in the United States who, because of revolutionary conditions in China, were deprived of expected remittances.

For aid in the arrangements of the visit to the United States of the Baroness von Suttner.

For the encouragement and support of the *Verband für internationale Verständigung* at Frankfurt-on-the-Main.

For the arrangements for the visit to the United States of Dr. Christian L. Lange, Permanent Secretary of the Interparliamentary Union.

For the encouragement of the correspondence prepared by Dr. Rudolf Tombo, Sr., of New York, for use of a syndicate of German newspapers and periodicals.

The organization of the American branch is of so simple and yet so mobile a character that it can be availed of at the shortest notice for the service of the Division both at home and abroad.

The allotments made to the Association for International Conciliation or made payable through it, amounted for the half year ending June 30, 1912, to \$21,000 and for the year ending June 30, 1913, to \$36,500 to be expended as shown in the following statement:

Administration and publication	\$32,550.00
<i>Conciliation Internationale</i> , Paris	6,000.00
<i>Verband für Internationale Verständigung</i> , Frankfurt....	6,000.00
Interparliamentary Union, Brussels	3,750.00
American group of Interparliamentary Union.....	2,700.00
Aid to Chinese students	5,000.00
International visits	1,000.00
Newspaper correspondence with Germany	500.00
	<hr/>
	\$57,500.00

Miscellaneous

A number of undertakings are in contemplation which have as their object to reach new centers of opinion, to arouse activity in places where none has heretofore been manifested and to strengthen and support the entire work of propaganda by well-considered projects supplementary in character.

1. The American branch of the Association for International Conciliation has in a small way carried on bibliographical work that has proved valuable. It is in contemplation to extend and develop this work and to provide libraries with uniform cards for their catalogues containing the best and most useful titles for readers and students of international affairs. Probably the Library of Congress is the best agency to use in this matter if a satisfactory arrangement can legally be made.

2. The plan suggested by members of the Advisory Council in Europe of offering to individuals a series of important money prizes for essays on various aspects of international morality has much to commend it. There is reason to believe that a competition of this kind would call out numerous suggestive contributions and that it would lead to a closer study of international problems at centers of influence and of learning throughout the world.

3. Experience has shown that it is important to hold in reserve for unforeseen contingencies a considerable sum of money for use on the recommendation of the Acting Director. Emergencies constantly arise which can only be met, if at all, by prompt action, and there are numerous opportunities for service that cannot well be foreseen but that present themselves month by month.

In Memoriam

The death of three distinguished members of the Advisory Council in Europe, Frédéric Passy, Auguste Beernaert and Bienvenido Oliver, and of the valued correspondent Jacques Novicow, has occasioned a loss which has been keenly felt. Appropriate resolutions were adopted by the Executive Committee of the Trustees and were forwarded to the bereaved families.

NICHOLAS MURRAY BUTLER,
*Acting Director of the Division of
Intercourse and Education.*

NEW YORK, November 16, 1912.

DIVISION OF ECONOMICS AND HISTORY

REPORT OF THE DIRECTOR

DIVISION OF ECONOMICS AND HISTORY

REPORT OF THE DIRECTOR

TO THE EXECUTIVE COMMITTEE:

The work of the Division of Economics and History during the past year has consisted chiefly in putting into execution the plans of research outlined by the Conference held under its auspices at Berne in August, 1911. That Conference prepared an extensive list of topics for research, all relating to the general subject of causes and effects of warfare. At the time of adjournment, very few subjects of investigation had been assigned to particular members of the Conference. The procedure in view involved the selecting of a large number of collaborators who, according to the plan, should make the investigations and write the resulting works under the supervision of the members of the Conference. In a few cases it was hoped that these members would themselves produce the works. Until nearly the end of the Conference the Director entertained the hope that it would be possible for the members, before separating, to apportion the fields of investigation among themselves, so that each one would assume the responsibility for directing work in a particular part of the general field. It appeared, however, that scarcely any of the members were willing to assume that responsibility before they should seek and find collaborators on whom they could rely for the execution of the works so planned. It seemed necessary that they should return to their homes, correspond with competent men and make arrangements with them for the execution of the particular works before they could assume the direction of them.

The Division of Topics

The obvious danger which was inherent in this plan was that members of the Conference, since called the Committee of Research, would proceed more or less independently in the selection of the topics for investigation and that many of the topics would be chosen by a considerable number of them. Conflicts in the choice of topics were indeed inevitable and, if the plans of each member were carried out, they would result in a great duplication of work. The conflicts did, in fact, occur on a considerable scale, and the Director received reports which indicated that quite often several members had made preliminary overtures to investigators who had consented to produce works on the same topic. It was imperative that such overlapping of fields of study should be

avoided; and yet, if the Director had made an arbitrary selection of the particular member who should take charge of each topic and had directed all others to relinquish it, his procedure would have had a very discouraging effect on the efforts of the members to initiate researches. It would have put a damper on their zeal and would have been more than likely to disturb the very cordial feeling which, from the first, has existed among the members.

On the other hand, to enter upon a discussion with the various members who had selected the same topic and determine, by letters which would have to cross the Atlantic, which of them should retain the direction of the field in question, would have been an interminable process. Very fortunately the Director was able to avail himself of the offer of Professor Reinsch, who at that time was residing at Berlin as Roosevelt Professor at the University, to serve as a medium of consultation between the different European members of the committee. As the reports of the negotiations with investigators came to the Director's office, cases of conflict were announced to Professor Reinsch, as well as to the members whose plans had caused the conflicts, and partly by letter, but more effectively by personal conferences, he was able to bring about an assignment of topics which avoided nearly all the duplications. It was a service of great value and no small difficulty; and, in spite of the modest honorarium which attached to it, it left the Division under large obligations to Professor Reinsch.

The actual arrangements by which the conflicts of choice were removed were facilitated by the fact that very many topics required statistical studies in a number of different countries, and it was possible to divide the work by separating the geographical fields in which it should be carried on. Moreover, in some cases a general topic not locally limited could be studied by different men, since it could be divided into sub-topics which complemented each other. In one case a local study confined to Austria-Hungary has been so apportioned; and one writer will make a report on the growth of armaments in that empire from a purely technical point of view, while another writer will discuss this growth in its financial aspects. In general it may be said that the entire range of studies now under way gives promise of results which will have a character of unity, and the several parts of which will be mutually complementary. When fully executed the studies now under way will cover, not indeed the whole program outlined at Berne, but the more important parts of it, and it will before long be desirable to occupy some further fields of research, which fortunately are not lacking.

Present State of the Work

Our present program of study was planned, in the first instance, by three committees of the Conference at Berne, each of which presented a separate report. The program of the First Committee, as finally adopted, contains sixteen subjects for study, nearly all of which are so comprehensive that they cover a variety of sub-topics. The program of the Second Committee contains twelve such

general subjects and that of the Third Committee, nine. Researches have now been planned on all but five of this entire number of subjects, and it is probable that arrangements may soon be made for work in connection with some of these remaining ones. Of the works planned, twelve will be general, in the sense of not being confined, in each case, to a particular country. On twenty-two subjects works have been planned requiring researches in each of a given number of different countries.

A Second Conference

The stage of advancement which our studies, in general, will have reached by the summer of 1913, will probably not be such as to make a second conference desirable at that time; but there is every probability that a year later there will be need of such a conference. By that time it will be possible to review work already done and it will be desirable to make comprehensive plans for further work. Researches quite outside of the range of those now undertaken will be called for, and plans for them will need to be made as carefully as were those for the earlier studies. By that time also it will be possible to estimate the demands which printing and publishing will make on the resources of the Endowment and to gauge the possible extent of the further work of research on the basis of the means available for the execution of it. Moreover, by that time it will be possible to form an estimate of the relative value, for our purposes, of studies carried on in Europe, on the one hand, and those carried on in America and Asia, on the other.

Standing of the Collaborators

The character and standing of the men who have undertaken to prepare works for our series is a source of the greatest satisfaction. It was at first supposed that the studies would have to be entrusted largely to young scholars of ability and promise, and possibly, in many cases, to men of the grade of *privat docent* in German universities. In that case whatever of *éclat* would be lent to the works by names on their title pages would come from the names of the members of the committee who would serve as editors. An agreeable surprise was in store for all who entertained this view. As the names of collaborators were reported, it appeared that many of them were men of high distinction, in some instances nearly or quite the first living authorities on the subjects on which they had undertaken to write. Moreover, in so far as is known, every one on the complete list of collaborators is an accomplished man in the line in which he has undertaken to work, and is specially qualified to produce a valuable report.

The Work in Japan

While the studies which were planned at Berne were not limited to Europe, most of those which are under the direct supervision of the members of the Conference are limited to that continent. With reference to Asia, the plan which

was formed at the time of the Conference was that an American scholar should accompany Professor Ogawa on his return to Japan and, under the general direction of Baron Sakatani and in coöperation with Japanese scholars, carry on studies in Japan and adjacent parts of Asia. Contrary to his original expectation Professor Ogawa remained in Europe nearly a year. Baron Sakatani, during that interim, has become the Mayor of Tokio. Nevertheless he has organized a committee, who expect to do in a local way something akin to what was accomplished by the Committee of Research at Berne. They expect to make plans for studies in Japan, Korea and Manchuria, though a somewhat longer time may be needed for the execution of the studies of this part of the world than will be necessary in Europe. His Excellency Baron Sakatani has been most active and efficient in promoting the general cause of peace. Correspondence with him has shown us that it is not desirable at this time that an American should act as a member of the Japanese committee.

The Work in South America

In South America, the Committee of Research has no member, and, moreover, foreign wars in that continent have been few and small and have therefore furnished less important lessons in connection with international relations than have the wars which have taken place in Europe. Under these circumstances the Executive Committee has added to the Committee of Research an American economist having unusual familiarity with South American conditions and large attainments in economic science, theoretical and practical, namely, Professor David Kinley, of the University of Illinois. A line of research has been planned, having its field in South America, and concerning it the Director hopes later to be able to make a report. The direction of such studies as involve international law will fall to Professor Reinsch and that of economic studies to Professor Kinley.

The Work in the United States

In the United States one large investigation has made good headway. It is a study at first hand of "The Attitude of Labor Organizations toward War and Peace," and is under the direction of Professor A. S. Johnson of Cornell. Plans are maturing for the study of the effects of wars in which the United States has taken part, on the economic and political condition of this country, and they should afford a basis for conclusions as to the necessary results of any wars which might here be caused by popular excitement, if unchecked by sober thought.

Work Already Completed

This Division is ready to make a modest beginning of publication. One volume in manuscript form has been sent to us from Paris. It is a work by M.

Dumas on "The Economic Effects of the Right of Capture." A work of peculiar value which has long been out of print is one entitled "Les Guerres Contemporaines," by Professor Leroy-Beaulieu. For various reasons it has been thought desirable to re-publish this work, probably with a new preface or introduction by the eminent author, and a copy of it is now awaiting publication in Paris.

Respectfully submitted,

JOHN BATES CLARK,
*Director of the Division
of Economics and History.*

NEW YORK, November 16, 1912.

APPENDIX.

State of Work of the Division of Economics and History

SUMMARY.

Number of manuscripts received.....	2
Number of works definitely contracted for.....	38
Number of works for which formal contracts are due and expected soon....	63
Number of works for which preliminary arrangements have been made.....	50
Total.....	153

Partial List of Collaborators of the Committee of Research

AUTHOR	SUBJECT	REFERENCE TO PROGRAM		DATE OF COMPLETION
		Commission	Subject	
Ansiaux	Bank policy and money matters.....	I	12	July 1, 1914
Bailey	American agricultural production.....	I	Spl.	
Beckerath, von	Condition of the victorious state—The period 1864-72 for Germany..	I	10d	
Bernstein	Position of organized labor and socialists in various states on war and armaments	I	4	
Bernstein and collaborators	Position of organized labor in various states on question of war and armaments	I	4	Dec. 31, 1913 Aug. 1, 1913
Bigwood	War loans provided by neutral countries; their extent and influence on recent warfare.....	I	9	
Bodart	Historical presentation of the causes of war—Austrian and French...	I	1	
Bodart	Loss of human life in and as a result of war—Austrian and French..	I	11	
Böhm-Bawerk, von	Introduction to program of Commission III—Collective work on the development of the international relations of Austrian economies.	III	1	Dec. 31, 1913 Aug. 1, 1913
Bonn	Annexation of half-civilized or uncivilized peoples considered from the point of view of economic interests, etc.....	I	14	
Borel (supervisor)	Extension of obligatory military service in the different states.....	I	7	
Borel	Conditions of military service; system of enlistment and general obligatory service	I	7a	
Borel	Ratio of persons obliged to serve to the entire population.....	I	7b	Dec. 31, 1913 Aug. 1, 1913
Borel	Influence of present system of military obligation, etc., upon warfare and its duration.....	I	7c	
Borel	Annexation of half-civilized or uncivilized peoples considered from the point of view of economic interests, etc.....	I	14	
Borel will choose a writer	Progressive exemption of commercial and industrial activities from losses and interference through war.....	I	15	
Borel	Influence of the open door policy upon war and peace.....	I	16	Dec. 31, 1913 Aug. 1, 1913
Borel	Reprint, "Effect of Franco-German war on Switzerland".....	I	Spl.	
Boyd	Interdependence of the financial centers of the world.....	III	7	
Brentano (supervisor)	Effects of war.....	I	10	
Brentano & Paish	Book on trade policy.....	I	Spl.	Dec. 31, 1913 Aug. 1, 1913
Brocard	Influence of growth of population and of industrial development upon the expansion of states.....	I	2a	
Brocard	The protectionist policy, etc.....	I	2b	
Burt	Position of organized labor and socialists in England on war and armaments	I	4	
Butte	Economic effects of the right of capture and its influence upon the development of navies—for United States.....	I	8	Dec. 31, 1913 Aug. 1, 1913
Cohn	Effect of a war on the economy of the Scandinavian countries.....	I	10a-c	
Crombach	International economic and financial relations of Austria—Petroleum industry	III	4	
Delaise	Position of anarchists on war and armaments.....	II	2b	
Depitre	Protectionist policy	I	16	Mar. 1, 1913 July 1, 1913 July 1, 1914
Depitre	Open door policy	I	10b-c	
Dietzel	Losses and gains in war and the effects of war upon the supply of food and raw material—Germany.....	I	2b	
Drachmann	The protectionist policy, etc.....	I	9	
Drachowsky	War loans provided by neutral countries; their extent and influence on recent warfare, for Austria.....	I	10	Dec. 31, 1913 Aug. 1, 1913
Drachowsky	Loans for armaments	II	2a	
Dumas	Influence of the growth of population and of industrial development upon expansion of states	I	8	
Dumas	Economic effects of the right of capture and its influence upon the development of navies	I	9	
Dumas	War loans provided by neutral countries	I	10b	Dec. 31, 1913 Dec. 31, 1913
Dumas	Losses and gains from point of view of public and private economic interests, etc.....	I	11	
Dumas	Loss of human life in and as a result of war, etc.....	I	Spl.	
Faure	Mortality during military service aside from death in battle.....	I	13	
Feilalik	Economic influence of annexation of Bosnia and Herzegovina.....	I	6f	Dec. 31, 1913
Fellner	Ratio between the total income of Austria and the total expenditure on armaments	II	4	
Fenwick	Position of organized labor and socialists in England towards question of war and armaments	I	1	
Ferrero	Historical presentation of the causes of war in modern times.....	I	1	

Partial List of Collaborators of the Committee of Research—Continued

AUTHOR	SUBJECT	REFERENCE TO PROGRAM		DATE OF COMPLETION
		Com-mis-sion	Subject	
Fischel	War loans provided by neutral countries	I	9	July 1, 1913
	Financial cost of war	I	10a	
	Losses and gains from point of view of public and private economic interests, etc.	I	10b	
	Effect of war upon the supply of the world with food and raw material	I	10c	
	Condition of the victorious state, etc.	I	10d	
Fourniere Gaillard	The manner in which the energy of nations is stimulated or depressed by war	I	10e	4
	Position of organized labor and socialists in France on war and peace	I	4	
Geering	General view of Commerce	III		10b
	Losses and gains from the point of view of public and private economic interests—from the standpoint of the Swiss	I	10b	
Geering	Effect of war upon the supply of the world with food and raw material—Swiss viewpoint	I	10c	4a
	World's production of articles of food, of raw materials and principal manufactures—Switzerland in the world market	III	4a	
Geering	Productions of individual countries and extent to which they are retained for home consumption or exported	III	4b	2 years
	Consumption of individual countries and extent to which the various articles are supplied from home production or imported	III	4c	
Geering	Interdependence of nations in the matter of capital	III	6	2 years
Geering	Unifying effects of international trade, building of railways, progress of shipping, etc.	III	8	
Geering	Effects of war on Switzerland	II	Spl. 6	6
	The burden of armaments in recent times—Germany	II	6	
Gerloff	Military budgets from 1872—distinguishing ordinary from extraordinary expenditures	II	5	6a
	Proportion of military to civil expenditures—Germany	II	6a	
Gerloff	Military expenditure per head—Germany	II	6b	6c
	Military expenditure from loans in time of peace—Germany	II	6c	
Gerloff	Comparative burdens of individual taxpayers in different countries—Germany	II	6d	6e
	Military pensions—Germany	II	6e	
Girsault Giretti	Ratio between the total income of Germany and the total expenditure on armaments	II	6f	16
	Influence of the open door policy upon war and peace, for France	I	16	
Giron	The growth of armaments in modern Italy and of armament industries	II	11	Dec. 31, 1912
	Interruption of foreign trade	I	10a	
Giron	Effects on private credit and savings banks	I	10b	10c
	Effect of a war upon the supply of the world—nourishing food	I	10c	
Greef, de	History of the causes of modern wars	I	1	2
	Influence of the growth of population and of industrial development upon expansion of states	I	2	
Greef, de	Economic life of individual countries—special treatment of whole of Com. III	III		1
	Influences unificatrices de la vie économique	III	1	
Grünberg	Position of organized labor and socialists in Austria on war and armaments	I	4	4
	Influence of the international economic relations on the law of finance	III		
Grunzel	The protectionist policy from standpoint of southeastern Europe	I	2b	Dec. 31, 1913
	Armaments and armament industries in Great Britain	II	11	
Hamilton	Government undertakings—armaments and armament industries in Great Britain	II	11a	Dec. 31, 1912
	Private undertakings (in Great Britain), including history and workings of great armament firms	II	11b	

Partial List of Collaborators of the Committee of Research—Continued

AUTHOR	SUBJECT	REFERENCE TO PROGRAM		DATE OF COMPLETION
		Com- mis- sion	Subject	
Hirst and collaborators	Definition of armaments	II	1	
	Causes of armaments	II	2	
	Rivalry and competition in armaments	II	3	
	Modern history of armaments, with special fullness from 1872.....	II	4	
	Introduction of conscription into Germany, France, Austria, Italy, Japan, etc.	II	4a	
	Modern inventions affecting war	II	4b	
	Question of privateering and private property at sea.....	II	4c	
	Duration of military service	II	4d	
	The traffic in arms	II	4e	
	Military budgets from 1872	II	5	
	The industries of war	II	11	
	Government undertakings (arsenals, dockyards, etc.).....	II	11a	
	Private undertakings, including history and working of the great armament firms	II	11b	
Hobhouse	War materials	II	12	Dec. 31, 1914 Jan., 1913
Hobhouse	Loss of human life in and as a result of war, etc.....	I	11	
Hobhouse	Influence of annexation upon the economic life of the annexing states and upon the state whose territory has been annexed....	I	13	
Hobhouse	Annexation of half-civilized or uncivilized persons considered from point of view of economic interests which act as motive powers, etc.	I	14	
Hobhouse	Influence of the open door policy upon war and peace.....	I	16	
Hobson	The protectionist policy, its origin and basis, etc.	I	2b	
Hobson	Losses and gains from point of view of public and private economic interests, etc.	I	10b	
Hobson	Condition of the victorious state, etc.	I	10d	
Hobson	Manner in which the energy of the nations is stimulated or depressed by war	I	10e	
Hold von Ferneck	Economic effects of the right of capture and its influence upon the development of navies	I	8	
Hornbeck	Influence of the open door policy upon war and peace for China....	I	16	
Jensen	Production in Scandinavia.....	III	4b-c	
Kaufmann	Capitalistic investments in Turkey	I	2d	
Kellogg	Loss of human life in and as a result of war, etc.....	I	11	Oct. 1, 1914
Kesslitz, von	Military budgets from 1872—Austria.....	II	5	
	Burden of armaments in recent times—Austria	II	6	
	Proportion of military to civil expenditures	II	6a	
	Military expenditure per head—Austria	II	6b	
	Military expenditure from loans in time of peace—Austria.....	II	6c	
	Comparative burdens of individual taxpayers—Austria.....	II	6d	
	Military pensions for Austria	II	6e	
	Ratio between total income of Austria and total expenditure on armaments	II	6f	
Kobatsch	Interdependence of the financial centers of the world.....	III	7	
König	Influence of war upon merchants, deposit banks and money matters...	I	12	
Kuczynaky	Influences of changes in the occupations of a people, etc.....	II	9	
La Fontaine	Special interest of individual classes making for or against war, or standing armies	I	5	July 1, 1913
La Fontaine	Effect of war preparations upon economic and social life of a nation...	II	7	
La Fontaine	Effect of war preparations upon the sustenance of the population of the country at war.....	II	7a	
La Fontaine	Effect of war preparations upon railway policy.....	II	7b	
La Fontaine	Effect of war preparations upon public administration and social legislation	II	7c	
La Fontaine	Effect of war preparations upon technical and industrial progress....	II	7d	
La Fontaine (with Otlet)	Comprehensive study of the international unions and associations....	III	9	
Landsberg	Economic effect of withdrawing young men from industrial pursuits to enter the army and navy	II	8	
Lapradelle	Compulsorily	II	8a	
	Non-compulsorily	II	8b	
	War and food supply.....	I	10c	
Lederer	Position of organized labor in Austria on question of war and armaments	I	4	

Partial List of Collaborators of the Committee of Research—Continued

AUTHOR	SUBJECT	REFERENCE TO PROGRAM		DATE OF COMPLETION
		Com mission	Subject	
Leroy-Beaulieu	Reprint of "Researches, Economics, History and Statistics of Contemporary Wars"		Spl.	Ready
Leseure	Influence of war upon protective policy, upon banking conditions, and upon monetary system.....	I	12	
Loach	The productions of the German Empire and the extent to which they are retained for home consumption or are exported and the consumptions of the German Empire and the extent to which the various articles are supplied from home productions or are imported	III	4b-c	July, 1913
Luzzatti	Protectionist policy relating to war	I	2b	End of 1913
Maddison	Position of organized labor and socialists in England on question of war and armaments	I	4	
Marek	War loans provided by neutral countries.....	I	9	
Marek	Loans for armaments	II	10	} Dec. 31, 1913
	Influences of war on transportation and the merchant marine.....	III	6	
	Interdependence of the financial centers of the world.....	III	7	
Marinus	Unifying effects of international trade, the building of railways, etc.	III	8	
	Comprehensive study of the various international unions and associations	III	9	
Marinus	Organization of industries and banks, etc. Influence of transportation, marine trade, etc.		Spl.	
Mises, von	International economic and financial relations of Austria.....	III	entire	Dec. 31, 1913
Morel	Annexation of half-civilized or uncivilized peoples, etc.....	I	14	
Müller	Losses and gains in war—from view of private economic interests...	I	10bc	
Neurath	Austrian and Servian loans, 1908-9.....	I	2c	July 1, 1913
Neurath	Rivalry among states with respect to capitalist investments in foreign countries—Adriatic railway	I	2d	July 1, 1913
	Circulation of and revenue from private economic property.....	I	10	
Neurath	Effect of war upon the supply of the world with food and raw material	I	10	} July 1, 1914
Neurath	Stimulation or depression of nations by war (war and living conditions)	I	10	
	Influence of annexation upon the economic life of the annexing state and upon the state whose territory has been annexed.....	I	13	
Neurath	Annexation of half-civilized or uncivilized peoples, etc.....	I	14	} July 1, 1913
	Economic effects of withdrawing young men from industrial pursuits to enter the army and navy.....	II	8	
	Compulsorily—Austrian labor market, 1866-78-1904.....	II	8a	
	Non-compulsorily—Austrian labor market, 1866-78-1904.....	II	8b	
Neurath	Loans for armaments—forms of loans.....	II	10	
Neurath	Effects of war on economic conditions.....		Spl.	July 1, 1914
Nieboer	Position of organized labor and socialists in Holland on the question of war and armaments	I	4	Dec. 31, 1913
Nieboer	Annexation of half-civilized or uncivilized peoples, etc.—Holland's colonies	I	14	Dec. 31, 1914
	Annexation of half-civilized or uncivilized peoples, etc.....	I	14	
Olivier	Comprehensive study of international unions and associations.....	III	9	
Otlet (with La Fontaine)	War loans provided by neutral countries.....	I	9	
Paish (supervisor)	Effect of war upon the supply of the world with food and raw material, etc.	I	10c	
Paish				
Paish (and Brentano)	Book on trade policy.....		Spl.	
Perels	International economic and financial relations of Austria—in the cotton industry	III		Dec. 31, 1913
Philippovich (supervisor)	Conflicts of economic interests in the present age.....	I	2	
Pibram	The protectionist policy—historically	I	2b	July 1, 1913
Piengo	Rivalry among states with respect to capitalist investments in foreign countries	I	2d	
Prinzing	Epidemics as a sequel of wars.....	I	11	July 1, 1913
Politis	International loans	I	2c	

Partial List of Collaborators of the Committee of Research—Continued

AUTHOR	SUBJECT	REFERENCE TO PROGRAM		DATE OF COMPLETION
		Com-mis-sion	Subject	
Prudhommeaux	Economic effects of withdrawing young men from industrial pursuits into the army and navy.....	II	8	July 1, 1914
	Compulsorily.....	II	8a	
	Non-compulsorily.....	II	8b	
Raffalovich	War loans provided by neutral countries.....	I	9	
Reid	Secretary to Mr. Hirst (salary is \$500 a year and \$25 for expenses).			2 years
Reinsch	{ Annexation of half-civilized or uncivilized peoples, etc.	I	14	
(supervisor)	{ Influence of the open door policy upon war and peace.....	I	16	
Reinsch with collaborators	Effects of the open door policy upon war and peace.....		Spl.	
Ronanet	Position of organized laborers and the Socialists on the question of war and armaments.....	I	4	Oct. 1, 1913
Ruyssen	Historical presentation of the causes of war.....	I	1	
Rygg	Losses and gains from the point of view of public and private economic interests, etc.	I	10b	
Rygg	Effect of war upon the supply of the world with food and raw material, etc.	I	10c	
Sakasoff	Position of organized laborers in the Slavonic Balkan states on the question of war and armaments.....	I	4	2 years
Saunders	Position of organized laborers in England on the question of war and armaments.....	I	4	
Seeborn	Anti-militarist movement considered in its religious and political manifestations. (View of the Quakers.).....	I	3	
Rountree	Protectionist policy—on Austria and Balkan states.....	I	2b	
Slokar	Annexation of Bosnia.....	I	13	2 years
Slokar	Extension of obligatory military service in the different states—Swiss relations.....	I	7	
Steiger	Military budgets from 1872—for Switzerland.....	II	5	
	Burden of armaments in recent times—for Switzerland.....	II	6	
	Proportion of military to civil expenditures.....	II	6a	2 years
	Military expenditure per head—for Switzerland.....	II	6b	
	Military expenditure from loans in time of peace—for Switzerland.....	II	6c	
	Comparative burdens of individual taxpayers—for Switzerland.....	II	6d	
	Military pensions—for Switzerland.....	II	6e	2 years
	Ratio between the total income of Switzerland and total expenditure on armaments.....	II	6f	
	Effects of war preparations upon economic and social life of Switzerland.....	II	7	
	Effects of war preparations on the sustenance of the entire population of a country.....	II	7a	
	Effects of war preparations on railway policy.....	II	7b	2 years
	Effects of war preparations on public administration and social legislation.....	II	7c	
	Effects of war preparations on technical and industrial progress.....	II	7d	
	Economic effects of withdrawing young men from industrial pursuits into the army and navy.....	II	8	
	Compulsorily.....	II	8a	2 years
	Non-compulsorily.....	II	8b	
	Influence of change in occupations of the people upon the composition and efficiency of armies, etc.	II	9	
	Loans for armaments for Switzerland.....	II	10	
	Industries of war—Switzerland.....	II	11	2 years
	Government undertakings (arsenals, dockyards, etc.).....	II	11a	
	Private undertakings, including history and working of great armament firms.....	II	11b	
Steinitzer	International economic relations of Austrian money and money markets.....	III		
Stiassney	Austrian bankruptcy till 1830.....	I	10a	2 years
Stiassney	Loans for armaments.....	II	10	
Sudek	The economic effects of withdrawing young men from industrial pursuits into the army and navy.....	II	8	
	Compulsorily.....	II	8a	
	Non-compulsorily.....	II	8b	2 years
Tasman	Effects of war preparations—Netherlands.....	I	7ab	
Tasman	Military budgets from 1872—Netherlands.....	II	5	

Partial List of Collaborators of the Committee of Research—Continued

AUTHOR	SUBJECT	REFERENCE TO PROGRAM		DATE OF COMPLETION
		Com- mis- sion	Subject	
Tasman	Burden of armaments in recent times.....	II	6abc	} Dec. 31, 1914
Tobisch	The industries of war—development, present state and effect in Austria-Hungary	II	11	
Tobisch	Government undertakings	II	11a	
Tobisch	Private undertakings	II	11b	
Tobisch	War materials	II	12	
Trevisono	Position of organized labor and socialists in Italy on question of war and armaments	I	4	
Ungern-Sternberg	The financial, political and social meaning of the Russian-Japanese War; for Russia		Spl.	
Vivian	Position of organized labor and socialists in England on question of war and armaments	I	4	
Ward	Annexation of half-civilized or uncivilized peoples, etc.	I	14	
Ward	Influence of the open door policy upon war and peace.	I	16	
Ward	Most favored nation clause		Spl.	
	Armaments	I	1, 2, 3, 4, 5, 11, 12	
Weiss	Effect of war preparations upon the economic and social life of a nation	II	7	
Weiss	Effect of war preparations on the sustenance of the entire population.	II	7a	
Weiss	Effect of war preparations on railway policy	II	7b	
Weiss	Effect of war preparations on public administration and on social legislation	II	7c	
Weiss	Effect of war preparations on technical and industrial progress.	II	7d	
Westergaard	Conditions of military service, etc.	I	7a	
Westergaard	Ratio of persons obliged to serve to the entire population	I	7b	
Westergaard	Influence of present system of military obligation and organization of armies upon warfare and its duration	I	7c	
Westergaard (Supervisor)	Loss of human life in and as a result of war, etc.	I	11	
Westergaard	Burden of armaments in recent times	II	6	
Westergaard	Proportion of military to civil expenditures	II	6a	
Westergaard	Military expenditure per head	II	6b	
Westergaard	Military expenditure from loans in time of peace	II	6c	
Westergaard	Comparative burdens of individual taxpayers, etc.	II	6d	
Westergaard	Military pensions	II	6e	
Westergaard	Ratio between the total income of each nation and the total expenditure on armaments	II	6f	
Widell	Losses and gains from point of view of public and private economic interests, etc.	I	10b	
Widell	Effects of war upon the supply of the world with food and raw material, etc.	I	10c	
Withers	War loans provided by neutral countries	I	9	
Withers	Loans for armaments	II	10	
Young	Losses and gains from point of view of public and private economic interests, etc.	I	10b	
Young	Effect of war upon supply of the world with food and raw materials, etc.	I	10c	
Young	Condition of the victorious state, etc.	I	10d	

DIVISION OF INTERNATIONAL LAW

REPORT OF THE DIRECTOR

DIVISION OF INTERNATIONAL LAW

REPORT OF THE DIRECTOR

TO THE EXECUTIVE COMMITTEE:

I have the honor to present a report dealing with the relations established, since the last annual meeting of the Trustees, with the Institute of International Law, which has, at the request of the Executive Committee of the Endowment, consented to act as general adviser of the Division of International Law; a detailed report of the progress made on the various projects which the Division of International Law has undertaken, pursuant to the authority of the Board of Trustees and the Executive Committee; and a consideration of further projects to be undertaken during the next fiscal year.

Relation of the Institute of International Law to the Division

In order the better to effect the aims and purposes of the Endowment as set forth in section 2 of the proposed charter, the Executive Committee at its meeting of March 9, 1911, apportioned the work to be carried on by the Endowment among three divisions, to be known respectively as: (1) the Division of Intercourse and Education; (2) the Division of Economics and History; (3) the Division of International Law. A director was appointed for each of the Divisions and arrangements have been made to supply each of them with advisory bodies, in order to enable them to keep in touch with the progress made in their respective fields of activity, and thus to render the work undertaken by them more effective and far-reaching. Thus, for the Division of Intercourse and Education there was created an advisory council of representative European statesmen and publicists prominently identified with the cause of peace and international arbitration, a body of distinguished correspondents, a permanent secretariat at Paris, and a number of special correspondents to keep the Director informed of the progress of the peace movement and to enable him to take such action as in his judgment would advance the objects of the Endowment entrusted to his care. To formulate a program and to outline the work which should properly be undertaken by the Division of Economics and History, a conference of distinguished economists was held at Berne in the summer of 1911, and the members of the conference have been formed into a Committee of Research, in order to carry out the recommendations contained in the program drafted by the Berne conference.

In like manner it was contemplated that the Division of International Law should have the benefit of expert advice, and steps were taken to ascertain what subjects should properly fall within the scope of the Division and to call a conference or to create an agency to formulate the proper activity of the Division and to enable the Director to execute the projects which should be recommended to be undertaken by the Division. In pursuance of this general policy, in so far as it relates to the Division of International Law, the Executive Committee at its meeting of June 13, 1911, directed "that the Secretary be requested to confer by correspondence with leading international lawyers and jurists throughout the world with a view of obtaining their counsel and suggestions in developing the work of the Endowment, having in mind the preparation by him of a plan for a conference of international lawyers and jurists to be held at a convenient time during 1912." The Director therefore addressed a circular letter, dated August 12, 1911, to the members of the Institute of International Law, the members of the Permanent Court of Arbitration at The Hague, professors of international law both at home and abroad, and a select list of jurists. The answers to this communication have been very numerous and the suggestions contained in them valuable. It was felt that the advice and counsel of the Institute of International Law would be of great service to the Division of International Law, and that a consideration of the work of the Division by the Institute of International Law at its session at Christiania in 1912 would be of very great importance. Therefore, at the meeting of the Executive Committee on June 13, 1911, the Secretary was "requested to secure, if possible, consideration, at the forthcoming meeting of the Institute of International Law at Christiania, of the plan of work of the Division of International Law of this Endowment." A committee of the Institute, of which the Director is a member, was appointed to consider the projects to be included in the program of the Third Hague Conference, and the Director was requested to attend the meeting of the committee, which was to be held at Paris on October 6 and 7, 1911, as this seemed to offer an opportunity to interest the members of the Institute attending the meeting in the work of the Endowment. The Director attended the meeting and discussed with various members not merely the feasibility of having the Institute consider the activities of the Division of International Law at the Christiania session, but also the question of the relationship between the Institute and the Division of International Law. The members consulted were favorable to both plans and it seemed to the Director probable, as a result of interviews with various members, that the Institute would not merely consider the proper activity of the Division of International Law at the Christiania session, but that it would also consent to enter into permanent advisory relations with the Division of International Law. At this time it seemed probable that a conference of international lawyers might be held, as in the case of the Division of Economics and History, but, as it was apparent that the participants in such a conference would be chosen largely, if not wholly, from the Institute of International Law, it was resolved by the Executive Com-

mittee at its meeting of October 26, 1911, to request "that the Institute of International Law be invited to act, by committee or otherwise, as adviser to the Division of International Law of the Endowment, regarding the course and development of its work." At the same time it was also resolved to recommend to the Board of Trustees an appropriation of a sum of \$20,000, to be used in connection with the meeting of the Institute of International Law at Christiania. Both of these recommendations of the Executive Committee were approved by the Board of Trustees at the annual meeting of December 14, 1911. The Director entered into correspondence with the Secretary General of the Institute, in order to secure a consideration of the proper activity of the Division of International Law at the Christiania meeting of the Institute, and to secure, if possible, the services of the Institute as adviser to the Division, either as a body or by means of a committee specially appointed for this purpose. The Secretary General consulted with the President and the Vice-Presidents, who form the Bureau or executive committee of the Institute, and on March 4, 1912, the Director was informed that the Bureau had accepted the proposition of the Endowment to act as general adviser to the Division of International Law, and the Bureau placed upon the program of the Christiania session a consideration of the permanent relationship to be established between the Institute on the one hand and the Endowment's Division of International Law on the other, as well as the consideration of the ways and means by which the Division of International Law could best accomplish the purposes for which it was created.

At the meeting of the Executive Committee held on May 25, 1912, the Executive Committee allotted the sum of \$20,000 as a subvention to the Institute of International Law, to be expended as the Institute deemed proper. After correspondence with the Secretary General, and at his request, the said sum of \$20,000 was on July 5, 1912, placed at the disposal of the President of the Institute of International Law, to be expended by him in accordance with the directions of the Institute.

The Institute decided to defray the expenses of its members attending the Christiania session out of this sum, which accounts for the fact that, notwithstanding the remoteness of Christiania from the domiciles of most of the members, publicists were present from not less than fourteen countries. It was hoped, however, that a balance would be left after paying the traveling expenses of the members. This proved to be a fact, and the Institute has determined to use this sum to hold meetings of the various committees, instead of conducting as heretofore their scientific discussions by correspondence; to compensate the *rapporteurs* in order that they may be able, without too great financial loss, to devote more time to the preparation of projects, as well as to scientific reports explaining them; to print the reports together with the necessary references and documents, thus facilitating their use and rendering them of value to the public at large. As the first volumes of the *Annuaire* are out of print and can be found only with the greatest difficulty, it has been decided to reprint these

volumes, so that the *Annuaire* from its beginning may be had by members of the Institute, publicists, statesmen, and scholars.

In order to bring about the desired relationship between the Institute and the Endowment's Division of International Law, and to participate in the discussions concerning these important matters, the Director attended in person the session of the Institute of International Law held at Christiania August 24 to 31, 1912, and he prepared a memorandum, in English and in French, which was sent in advance to each member of the Institute, which stated the desire of the Endowment to have the Institute act in an advisory capacity, the nature and scope of the Division's activity as defined by the proposed charter of the Endowment, and a résumé of the suggestions and concrete projects which had been made or presented to the Division, in order that the members of the Institute might have a clear understanding of the services which the Institute, as a body or through a committee, would be asked to render, and of the projects upon which its advice might be requested, if the proposed relationship were established.

The session of the Institute was formally opened on Saturday, August 24, 1912. The regular sessions began on Monday, August 26, and at the first session the President of the Institute, Mr. Hagerup, stated that the first matter of business on the program was the consideration of the relations to be established between the Institute and the Division of International Law of the Endowment, and called upon the Director to explain the nature of the proposed relationship. The Director explained briefly the nature and origin of the Endowment, laying particular stress upon the fact that the work of the Division of International Law would be essentially scientific, and that the advice of the Institute, either as a body or by committee, would be of the greatest advantage, because of the experience which the Institute had had in the scientific and practical development of international law, and that the approval by the Institute of the various projects to be undertaken by the Division would be in itself a guarantee of the feasibility of the projects, because it could not be supposed that a proposition which met with the approval of the Institute could prove to be purely Utopian. He called attention to the fact that the previous decision of the Bureau was provisional and required to be confirmed by the Institute, if the relationship was to be permanent. The action of the Bureau in accepting the invitation of the Endowment as adviser was, after debate, approved unanimously, and the following resolutions were unanimously adopted:

First Resolution.

The Institute of International Law, assembled at Christiania the 26th of August, 1912, accepts the title and functions of General Adviser of the Division of International Law, offered to it by the Trustees of the Carnegie Endowment. It is happy to take part, in conformity with its constitution, in the work undertaken under the auspices of the illustrious American philanthropist for the development of international law.

Second Resolution.

The Institute of International Law, assembled at Christiania the 26th of August, 1912, begs Mr. J. B. Scott to express its deep gratitude to the Trustees of the Carnegie Endowment for the confidence which they have shown in the Institute by entrusting it with the title of General Adviser of the Division of International Law, and for their generous assistance in the organization of the session of Christiania.

The Institute then passed to a consideration of the most appropriate method by which it could act as adviser to the Division of International Law. The Director stated that there were two ways in which the Institute could act—either as a body or by committee; that it would be difficult to have the Institute meet in order to consider propositions, and that correspondence with the members residing in different countries would be time-consuming and unsatisfactory, that a committee composed of a limited number of members, possessing the entire confidence of the Institute, which the Director could consult as occasion might arise, appeared more practicable, although he admitted that it might be difficult to constitute such a committee when all the members of the Institute were fitted to act as such. He suggested that the Institute might entrust the Bureau with the selection of the committee. After an exchange of views, it was decided that the Institute should elect from its members a committee of eleven, of which the Secretary General should be a member *ex officio*; that the committee should be a regular committee of the Institute to act as a consultative committee to the Director of the Division in such matters as might be submitted to it by him; that it should meet at such times and at such places as might be requisite for the performance of its duties; and that it should prepare and submit to the Institute a *modus operandi* determining the relations which should exist between the Institute and the Division of International Law of the Endowment.

This plan was unanimously adopted, and the Director was requested to submit a list of names from which the Institute should choose a committee. The Director was unwilling to present a list of ten names, as this might seem to be imposing his choice upon the Institute. After consultation with the Bureau and the members of the Institute present, the Director presented the following list of eighteen names; stating that a committee composed of ten of these or any other members of the Institute would be wholly acceptable to the Endowment: Messrs. Asser, Sr., von Bar, Bustamante, Catellani, Fusinato, Gram, Hagerup, Hammarskjöld, Harburger, Holland, Kebedgy, Lammasch, Lardy, Lord Reay, Renault, Taube, Vesnitch, Weiss. Mr. von Bar suggested that it might happen that a member of the consultative committee would be unable to attend a meeting and that in such a contingency he might request that one of his countrymen, included in the list of eighteen names, should act as his substitute. This suggestion was approved and on a vote taken the following members of the Institute were chosen members of the consultative committee until the next session of the Institute: Messrs. Asser, Sr., von Bar, Fusinato, Gram, Hagerup, Holland, Lammasch, Lardy, Renault, Vesnitch.

The Director thereupon thanked the Institute in the name of the Carnegie Endowment for having accepted its invitation to act as general legal adviser to the Division of International Law and for having appointed a committee to act in an advisory capacity and to determine the relationship which should exist between the Institute and the Endowment. The following is the text of the resolution as finally adopted:

The Institute of International Law, because of its acceptance of the title and functions of General Adviser of the Division of International Law of the Carnegie Endowment, has decided upon the creation of a special consultative committee of ten members, of which the Secretary General of the Institute shall also be a member *ex officio*. This special consultative committee shall act until the opening of the next session of the Institute of International Law, on the one hand, as General Legal Adviser of the Division of International Law of the Carnegie Endowment, and on the other hand, as a commission of study entrusted with the elaboration of a project, to be submitted to the Institute, for the regulation of the relations to be established between the Carnegie Endowment and the Institute of International Law.

In case one of the members of the special committee should be prevented from taking part in its work, the committee shall be empowered to appoint, upon the proposal of the titular member so prevented, a substitute to take his place temporarily. No one shall be chosen as a substitute member unless he appears upon the list of eighteen names from which the definitive special committee was formed.

From this brief account it appears that the desire of the Executive Committee to establish permanent relations of an advisory nature with the Institute of International Law has been attained. It is at once a pleasure and a duty to report that the Institute was favorably impressed with the idea, and that the resolutions giving effect were unanimously adopted. As a result of the negotiations at the Christiania session, the Institute is to be considered as the permanent adviser of the Division of International Law.

Proceedings and Recommendations of the Consultative Committee of the Institute of International Law

The decision of the Institute of International Law to act as General Adviser to the Endowment's Division of International Law resulted, as has been seen, in the selection of a committee of eleven members, of which the Secretary General of the Institute is a member *ex officio*. At the morning session of the Institute on August 26th, the nature of the proposed committee and the principles which should guide the Institute in its selection were carefully considered, as appears from the following extract from the minutes of the session:

The question of principle being thus decided, Mr. Scott is given the floor to make known to the Institute his ideas concerning the practical or-

ganization of the relations to be established between the Carnegie Endowment and the Institute, in consequence of the functions accepted by the Institute.

The first question to be considered is whether the Institute ought to perform these functions as a body, or assign them to a limited committee composed of members of the Institute. The second solution is necessary because of the impossibility of holding frequent meetings of the entire Institute.

What principles should be followed in determining the composition of this limited committee, which should consist of from seven to eleven members?

According to Mr. Scott—in view of the fact that it is difficult to look impartially upon questions of international law—the various nationalities represented in the Institute should be taken into account in constituting this committee: international law should be internationalized.

Also this limited committee should be composed of interested members, whose interest is shown by regular attendance at the sessions of the Institute.

Lastly, this committee should be composed of members selected from those who are most willing to devote a large portion of their leisure to the work of the committee and who would not object to the traveling that would be necessary.

What would be the duties of the limited committee constituted according to these views?

It should not be a directing committee, but merely a consultative committee. Indeed, certain questions could be more advantageously regulated by other agencies.

It will be noted that the committee was selected in accordance with these principles and that a majority of the members, as it was hoped would be the case, were in actual attendance, so that it was possible to hold several meetings of the special consultative committee in Christiania—the first while the Institute was in session; the second and third after its adjournment. The committee, as actually selected, is composed not only of members of long standing and of regular attendance, but the majority—in fact, six of the eleven—are former presidents of the Institute, and a seventh is president for the year 1913. It will also be observed that the members have been not only selected from different countries, and are therefore familiar with local conditions obtaining in various parts of the world, but that the majority belong to what is generally called the smaller countries—a fact of very considerable importance, because the smaller countries have only justice, instead of the sword, for their defense,—while the larger countries—Germany, Austria-Hungary, France, Great Britain and Italy—are worthily represented in the committee.

From another point of view, however, the selection of the committee was particularly happy, for its members have held important public posts and are therefore in a position to give advice based upon a large experience in public affairs. They are also strongly in favor of the peaceful settlement of international disputes, and the majority—indeed, seven—have an enviable reputation as arbiters.

- ASSEER, T. M. C. (Holland).** Publicist and writer; Minister of State of Holland; President of the Royal Commission for Examinations for Admission to the Diplomatic Service and for Private International Law; member of the Permanent Court of Arbitration; delegate to The Hague Conferences of 1899 and 1907; President of the Bills of Exchange Conference of 1910; one of the founders, in 1869, of the first journal of international law, *Le Revue de droit international et de législation comparée*, still in existence; one of the founders of the Institute of International Law in 1872; arbiter in international controversies.
- BAR, KARL LUDWIG VON (Germany.)** Publicist and writer; Professor of International Law, Criminal Procedure and Criminal Law in the University of Göttingen; member of the Permanent Court of Arbitration; formerly judge of the Obergericht; formerly member of the German Reichstag.
- FUSINATO, GUIDO (Italy).** Publicist and diplomatist; member of the Italian Chamber of Deputies; member of the Permanent Court of Arbitration; delegate to The Hague Conference of 1907; delegate to the London Naval Conference; formerly Minister of Public Instruction; member and formerly President of the Institute of International Law; arbiter in international controversies.
- GRAM, GREGERS W. W. (Norway).** Statesman and publicist; Governor of Hamar; member of the Permanent Court of Arbitration; formerly Minister of State; formerly judge of Mixed Courts of Egypt; arbiter in well known international controversies, beginning with the Bering Sea arbitration of 1892.
- HAGERUP, GEORGE FRANCIS (Norway).** Statesman and diplomatist; Minister of State; Norwegian Minister to Denmark and Holland; member of the Permanent Court of Arbitration; member of the Nobel Committee of the Norwegian Parliament; President of the Institute of International Law; formerly Professor of Law at the University of Christiania; formerly Prime Minister of Norway (1895-1898), (1903-1905); arbiter in international controversies.
- HOLLAND, THOMAS ERSKINE (Great Britain).** Publicist, educator and author; President-Elect of the Institute of International Law; formerly Chichele Professor of International Law and Diplomacy in the University of Oxford; delegate to the Geneva Red Cross Conference of 1906.
- LAMMASCH, HEINRICH (Austria).** Publicist; Professor of International Law in the University of Vienna; member of the Herrenhaus of Austria; member of the Permanent Court of Arbitration; delegates to The Hague Conferences of 1899 and 1907; arbiter from 1902 in international cases tried before the Permanent Court of Arbitration.
- LARDY, CHARLES ÉDOUARD (Switzerland).** Diplomatist; member of the Permanent Court of Arbitration; Minister of Switzerland to France; formerly President of the Institute of International Law; arbiter in international controversies.

RENAULT, LOUIS (France). Publicist, educator and author; Professor of International Law in the University of Paris; Professor of International Law in the *École libre des sciences politiques*; Jurisconsult in the Ministry of Foreign Affairs; member of the Permanent Court of Arbitration; delegate to The Hague Conferences of 1899 and 1907, to the Geneva Red Cross Conference (1906), to the London Naval Conference (1906-7); formerly President of the Institute of International Law; arbiter in several international controversies.

ROLIN, ALBÉRIC (Belgium). Publicist, educator and author; Professor of Private International Law in the University of Ghent; Secretary General of the Institute of International Law; former President of the Institute of International Law.

VESNITCH, MILENKO R. (Servia). Diplomatist; Servian Minister to France and Belgium; member of the Permanent Court of Arbitration; Vice-President of the Institute of International Law; formerly Minister of Justice; formerly Minister of Public Instruction; formerly President of Servian Parliament; formerly Servian Minister to Italy.

The first meeting of the Consultative Committee was held in the Nobel Institute at Christiania on the afternoon of August 28, 1912.

Present: Messrs. Hagerup, von Bar, Holland, Gram, Albéric Rolin, Secretary General of the Institute, and Mr. James Brown Scott.

It thus appears that a majority of the entire committee was present, but as there were some absentees, due to the fact that of the eleven elected four were not in attendance at the Institute, it seemed best to the members present to form a temporary organization, leaving to a later meeting the consideration of important questions which might be presented to them, it being understood, however, that the members present, although forming a majority, expressed their own views without attempting to bind their absent associates.

As presiding officer of the committee, Mr. Gram proposed the Secretary General of the Institute, as he was naturally the connecting link between the Institute, on the one hand, and the Carnegie Endowment on the other. Mr. Albéric Rolin consented to act as chairman.

Another question which arose was whether a majority of the committee was necessary to form a quorum for the transaction of business. Attention was called to the fact that the Institute did not require the presence of any particular number in order to enable it to transact its affairs, and it was suggested that the requirement of a quorum might embarrass the committee. It was stated in reply that the cases were not wholly alike and that a recommendation of the committee would not have the same authority in the eyes of the Executive Committee of the Endowment if it were made by less than an absolute majority of the Consultative Committee.

The committee thereupon passed to a consideration of the special purpose

which had called it together, namely, to express its opinion upon some of the matters contained in the memorandum which had been sent to each member of the Institute.

The Director thereupon stated that he would be deeply grateful to the members if they could hold several sessions during their sojourn at Christiania, because he was unwilling to organize definitely the Division of International Law and to lay a detailed program of constructive work before the Executive Committee without having had the benefit of consulting the committee, and learning its views, which he believed would be of very great service to the Executive Committee in enabling its members to reach conclusions.

As an example, attention was called to the proposal to translate into widely spoken languages various works on international law written in languages which are but little known beyond the country of origin. The wisdom or inadvisability of such a project could easily be passed upon by the committee. In like manner, the question of an Academy of International Law was one upon which the Trustees of the Endowment would be pleased to learn the views of the committee, for although the Academy had been agreed to on principle, it was felt that the project might be worked out more in detail and that the members of the Consultative Committee were peculiarly competent to aid the Director in this matter. The committee shared these views and its members decided to remain in Christiania after the adjournment of the Institute in order to hold a morning and afternoon session on September 2, 1912.

The committee therefore met Monday morning in order to pass upon the proposals contained in the memorandum which had been distributed. A majority of the committee was present, namely, Messrs. von Bar, Gram, Hagerup, Holland, Lammasch, A. Rolin, as well as the Director of the Division of International Law. Mr. Vesnitch, who had attended the previous meeting, was unable to be present and expressed his views in writing regarding a proposed Academy at The Hague, which the committee ordered to be printed, and which is included in the *procès-verbal* of the meetings of the committee.

It was decided to make the memorandum the basis of discussion, and before taking it up, the Director explained that in the preparation of the memorandum he had grouped together in a logical order the various suggestions and propositions which had been made to the Endowment bearing on the subject of international law, arbitration and the peaceful settlement of international disputes, without an expression of personal opinion as to their advisability or practicability and without indicating which propositions, if approved, would be undertaken in the near future.

The committee devoted two sessions to the examination of the memorandum. Some subjects seemed not properly to fall within the scope of the Division of International Law or of the committee, and its members expressed the opinion that these topics should be eliminated from discussion. Other topics suggested doubts and difficulties, even when they seemed feasible to the mem-

bers of the committee. They were therefore reserved for future consideration at a subsequent meeting of the Consultative Committee. The third group of subjects seemed to the members of the committee to be good in themselves, and to be feasible and timely. These topics were discussed in detail and with great care and were recommended to the favorable action of the Executive Committee of the Endowment.

The following subjects were recommended:

(1) To compile and publish a collection of the provisions of the treaties of all countries of the world containing international agreement upon matters which, if universally assented to, would constitute international law.

(2) The founding of an Academy of International Law at The Hague, to be conducted during the summer or vacation period, and to include a regular course of international law and special lectures on important and current topics, the professors and lecturers to be the most eminent authorities of the different countries.

(a) The founding of paid scholarships at the Academy at The Hague so as to secure students from all parts of the world, the scholars to be selected either by the governments or as the result of competition by means of theses on subjects to be assigned.

(3) The collection and publication, in a uniform series, and in several languages, of the judicial decisions of national courts interpreting and applying the principles of international law.

(4) The exchange of professors of international law and diplomacy between various countries.

(5) The exchange of students of international law.

(6) The translation, reprinting and dissemination, at a nominal price, of the best works on international law, and especially of works written in languages which reach but a limited circle of readers.

(7) To give encouragement and assistance to magazines and periodicals to devote themselves to the development of international law and to the cause of international justice.

(8) To establish lectureships and professorships of international law in colleges and universities, after a careful preliminary study of the present state of the teaching of international law in the different countries.

(9) The preparation and publication of a scientific and accurate history of arbitration.

In addition to these subjects, all of which were contained in the memorandum, the committee added two which, in their opinion, were highly desirable:

(1) The preparation of a bibliography of international law, public as well as private.

(2) The encouragement, by means of subventions, of the publication of works or of collections relating to international law which, notwithstanding their

evident scientific interest, are not, by reason of their limited commercial market, of interest to publishers.

It is believed that, with the exception of the Hague Academy, it is unnecessary to comment upon these various recommendations, as they are of a kind to be accepted without hesitation. However, certain opinions were expressed in the course of the discussion which should be noted in this connection.

Mr. Lammasch expressed grave doubt, a doubt shared by the committee, as to the value of offering prizes for works dealing with specified subjects, as he believed that the best works were only produced by scholars thoroughly interested in the subject, and that prizes, while they might interest a small public, would not at all result in the production of valuable books or treatises.

In connection with the proposal to encourage the publication of books or valuable works, the sale of which would necessarily be limited by the nature of the subject matter, the committee expressed the opinion that it should not pass upon any particular work, but that it should state the principle and leave it to the Carnegie Endowment to make the practical application.

In considering the question of translations from one language to another, the committee expressed its opinion that as a general rule it would not be worth while to make translations of any work dealing with international law written in a language which is widely spoken or read.

Finally, the committee approved the idea that the Carnegie Endowment should not undertake to publish works which could find a publisher and be issued in the usual course.

Should it prove desirable to begin work upon any or all of the projects favorably passed upon by the Consultative Committee, above enumerated, provision should be made in the appropriations for the fiscal year July 1, 1913, to June 30, 1914, for funds to carry on the work. It will take several months, however, after authority is given to proceed with any or all of these works, to determine even approximately the amount of money which it will be necessary to devote to them. It is, therefore, impossible at this time to submit detailed estimates for carrying on these projects, and it is suggested that a lump sum which is likely to prove sufficient, at least for the fiscal year ending June 30, 1914, be placed at the disposal of the Executive Committee for allotment in case it should be decided to proceed with the work.

The preparation of the budget for the rapidly developing activities of a new undertaking is necessarily in some respects very vague and hypothetical, because under the present arrangement it has to be made in October, 1912, for the period ending June 30, 1914, and in the meantime the action of the Trustees upon new proposals incident to the development of the trust must be guessed at.

The proposal of the Executive Committee to change the date of the annual meeting from December to April, if approved by the Trustees, will reduce this embarrassment very much.

The Academy of International Law at The Hague

In the report submitted by the Director for the year 1911, the founding of an academy or school of international law—more modestly stated, a summer term—to be located in the Peace Palace due to Mr. Carnegie's generosity, was recommended. The rôle it would play in the development and dissemination of just principles of international law, and the contributions with which its small but select and changing faculty might be counted upon to enrich the literature of international law, were set forth at length. The Executive Committee on October 26, 1911, approved in principle the proposal to establish the academy in connection with the Carnegie Peace Palace, "provided that detailed plans for the organization and operation of such an academy be approved by the Executive Committee." An appropriation of \$40,000 was recommended to the Board of Trustees and voted by the Board at its annual meeting, held on December 14, 1911. In view of these circumstances, it is not felt necessary or desirable to restate the arguments already advanced in the report to which reference has been made; it will be sufficient to state the progress which has been made during the year toward the formulation of the "detailed plans for the organization and operation of such an academy [to] be approved by the Executive Committee."

The Executive Committee, while favorable to the idea of the academy which it has on various occasions approved in principle, is very properly unwilling to pay over the \$40,000 without being assured that the plans for the academy will in fact, as well as in theory, accomplish the results which its proposers predict. The committee wishes to be assured that the academy meets a need felt by the publicists of very many, if not all, of the countries invited to the Second Hague Conference, and not merely the desire of the publicists of any particular country or countries; that the course of instruction shall not merely duplicate courses given in existing institutions—that is to say, the academy shall be a unique not a competing institution—and that the student body, drawn from many countries, shall be such as reasonably to justify the expectation that the students will exercise a real influence in their respective countries after they have finished their course at The Hague, whether as teachers or writers, publicists or diplomats, or as officials in other and varying branches of governmental service.

In the report for 1911 it was stated that the proposal to create an academy at The Hague was made by Professor Nippold and Richard Fleischer in two articles in the *Deutsche Revue* for April, 1907; that the proposal was warmly approved by M. Nelidow, President of the Second Hague Peace Conference, at its third plenary session; that the formal proposal to create such an academy was made to the Conference itself by a responsible statesman, namely, M. Sturdza, then Prime Minister of Roumania; that M. Sturdza's proposal, consisting of seven articles, was approved by the President of the Conference at the fifth plenary session, and is printed in the official report of the Second Hague Conference. It might well be, however, that a proposal made under special circumstances in 1907 might not commend itself under other conditions or at a

later date. The correspondence and the interviews which the Director has had with leading publicists of different nationalities have led him to believe that the desire for the academy is international, not local, and that the belief in its usefulness is much greater than when the original proposal was made. As, however, the Executive Committee naturally desires evidence of fact rather than an expression of belief, it was decided to ask the advice of the Institute of International Law, which is, as is well known, made up of publicists chosen from many nations. Therefore, at the meeting of the Institute held at Christiania, August 24 to 31, 1912, the question of the academy was laid before the Consultative Committee of the Institute at its session of September 2, 1912, and the proposed academy was carefully, indeed exhaustively, discussed, and at the conclusion of the discussion its establishment was recommended.

The Institute represents unofficially twenty-six different nations. At its Christiania session publicists from fourteen nations took part in the selection of the Consultative Committee, and in the Consultative Committee the following nations are unofficially represented: Austria-Hungary, Belgium, France, Germany, Great Britain, Holland, Italy, Norway, Servia. It is fair to presume that the Consultative Committee at its first session represented the general views of the Institute.

The International Law Association, like the Institute, was founded in 1873, and its large and influential membership represents in a more democratic way than the Institute the publicists and non-professional classes interested in international law. The Association has twice passed upon and approved the project of the academy. Thus, at its meeting held in London in 1910, it adopted, after much discussion and debate, upon motion of Dr. Bisschop, seconded by Lord Chief Justice Alverstone, the following resolution:

This Association will support any well considered scheme for carrying out a proposal for the establishment of a School of International Law at The Hague.

At its last meeting, held in Paris in 1912, the question of the academy was again considered and the Association passed without a dissenting voice "a vote of sympathy in favor of the new institution."

Mr. Asser was requested by the Director to enter into communication with publicists of different nationalities, and he states that he has received replies favoring the academy from international lawyers and distinguished authorities of many countries, and that he intends to submit these letters to the Endowment.

In the light of these statements and figures, argument is not required to show that the project of an international academy can fairly be called an international project. The Executive Committee may therefore consider that a desire for the academy exists, which is general in the sense that it is not con-

fined to any one country, although it must necessarily be established in one namely, Holland.

The nature of the instruction to be offered by the academy and the elements of which the student body should be composed were likewise discussed by the Consultative Committee, as well as at a meeting at The Hague on September 11 and 12, attended by Mr. van Swinderen, the Dutch Minister of Foreign Affairs; Mr. van Karnebeek, former Minister of Foreign Affairs and President of the Peace Palace Commission; Mr. Asser, Minister of State and Chairman of the Dutch committee having in charge the matter of the academy; and the Director of the Division of International Law. The discussion in the Consultative Committee will first be considered. The members of the committee, as members of the Institute, had received the Year Book of the Endowment for 1911, containing the report of the Director of the Division of International Law dealing with the proposed academy, and they had before them the memorandum prepared expressly for them, in which the academy project is thus stated:

The founding of an Academy of International Law at The Hague, to be conducted during the summer or vacation period, and to include a regular course of international law and special lectures on important and current topics, the professors and lecturers to be the most eminent authorities of the different countries.

The founding of paid scholarships at the Academy at The Hague so as to secure students from all parts of the world, the scholars to be selected either by the governments or as the result of competition by means of theses on subjects to be assigned.

They were thus familiar with the general proposition. The chairman asked the Director to begin the discussion of the subject, which he did, according to the *procès-verbal*, as follows:

Mr. J. B. SCOTT reminds the committee that the idea of establishing an academy of International Law at The Hague, suggested by Mr. Sturdza, at the beginning of the Second Peace Conference, has recently formed the object of much thinking on the part of Mr. Asser and of his Dutch colleagues. This idea has greatly interested the Carnegie Endowment; it has studied the main lines of the institution; these main lines might be the following: it would be necessary that this academy should not become a competitor of institutions of learning already in existence; it should be organized in such manner that the juriconsults of the various nations might there come together; an exchange of fruitful views would necessarily result between the various professors. This academy should have a unique body of students, including only men who have already completed their juridical studies, and who are desirous, in the same lecture hall, to listen to the lectures of the authorities on international law. Lastly, it would be above all things desirable that the lecture courses of this academy should be followed by members of the diplomatic corps and by the higher public officials of the various countries. The aim sought to be attained is eminently a practical one: in this matter it is permissible to believe that attendance of

these courses of the academy by public officers belonging to the various nations would be of a nature such as to exercise an effective influence upon the policy of the governments. The Carnegie Endowment lays great weight upon this idea, first suggested by Mr. Sturdza, of the participation of the governments in the operation of the institution by sending their public officers there: this idea was submitted to Mr. Asser and communicated by him to the Ministry for Foreign Affairs of the Netherlands. It is believed that it was favorably received by the said Ministry. This academy, whose creation is desired, would be clearly distinct from all other institutions: it would be unique in regard to the time during which its teachings would be imparted: the vacation months of the universities; it would be unique as to the composition of its teaching personnel; it would be unique in the composition of its body of students.

How would its instruction be organized? The Carnegie Endowment is inclined to believe that on the one hand, courses of lectures on general subjects, and on the other hand, conferences on special matters might be given. This is also the opinion of the various persons, who had occasion to confer with each other in regard to the matter, notably Messrs. Asser and Renault. The conferences,—delivered in languages endowed with large diffusion, for instance, French, English, German, Spanish—might be published in book form and reach beyond the circle of their hearers. Such are, said Mr. J. B. Scott, some of the ideas that have been discussed, and that may make it possible for the Consultative Committee to gain a very general opinion regarding the proposition appearing under No. 10.

At the conclusion of these remarks Mr. Gram asked his opinion regarding the date of the opening of the academy, to which the Director replied:

That Mr. Asser would greatly have desired that the opening of the academy should coincide with the inauguration festivities of the Peace Palace. The Palace would thus serve a double purpose: on the one hand it would house the Permanent Court of The Hague when in session for the judgment of international arbitration questions; on the other hand—and this would be its normal function—it would house the international academy of The Hague, whose high teachings would continuously attract the attention of the world upon the pacific institution of The Hague. As far as the Trustees of the Carnegie Endowment are concerned, they would like to avoid any precipitate action; they will definitely approve the idea of the institution under consideration, and assume to realize that idea only after they shall be absolutely certain that the projected academy meets with a unanimous desire and if it be of a nature to further the progress of international law. So far as he himself personally is concerned, Mr. J. B. Scott believes that this academy would render useful services. At this time, he says, the Institute of International Law contributes powerfully to the development of international law by the practical results which it reaches after the theoretical discussion of the problems; in a manner analogous to the Institute, the academy might be utilized for special theoretical purposes, and thus illuminate the various national viewpoints: its meetings, during the months of the summer, in the same locality, by professors belonging to various nationalities, would not fail, thanks to the exchange of ideas that would take place between them, to contribute to the internationalization of international law. But at present, Mr. Scott states again, the question is

that of considering the principles themselves on which that institution is to be based; if the general idea is favorably received, the study of its details will follow; this might be done in a subsequent session of the committee, about the spring of next year; it does not seem possible to do more at present, in spite of the desire to that end expressed by Mr. Asser.

The above passages have been quoted from the *procès-verbal*, in order that the Executive Committee might see the way in which the project was presented for the consideration of the Consultative Committee, and for the further reason to show that the project in all its details was laid before the committee.

The length of time during which the academy should be open was discussed, with the result that the committee expressed itself strongly in favor of a summer term. Thus, for example, Mr. Lammasch said:

That it is necessary to guard against competing with established universities; but he believes that this competition is not to be feared if the projected academy is only to operate during the three months of the summer. This is, moreover, he says, an essential condition for the success of the undertaking; it cannot clearly be seen how, from the point of view of the students, the academy could enroll a sufficiently large number of hearers if it were to operate during the year; in regard to the professors, it would be necessary to admit, if the academy were to operate at the same time as the universities, that it should have a special corps of professors; what would then become of the exchange of views between the professors of the various nations, so desirable to insure the internationalization of international law? It is well that by a system of rotation the largest possible number of professors of different nationalities be brought into contact with each other.

As the committee seemed to approve the idea of an academy, the Director proposed that important details be taken up, such as the nature and extent of the courses, the method of instruction, the character of the student body, especially the possibility of securing the designation of members of the diplomatic service or other officials by their respective governments to follow the courses given by the academy. Mr. Lammasch considered the participation of the governments as not improbable, as it is already in accordance with the practice of some states. Mr. Hagerup called attention to the connection which might exist between the participation of the governments and the courses of instruction. He expressed himself in favor of ordinary and general courses and stated that certain states would be desirous that these courses be given in French, for it would, to quote directly, "be of very great value to the diplomatists that they be trained in the practice of the French language." In response to the suggestion of the Chairman that the members express their opinions upon the usefulness of general courses, the Director spoke as follows:

Mr. Scott, by way of illustration, gives expression to certain views that might prevail in the organization of the instruction of the academy, and which might conciliate to a certain degree the diverse opinions expressed.

It might possibly be useful for the academy to carry on various methods of instruction concurrently: in the first place—everybody is agreed on this—there would be special courses or lectures, relating to very particular questions, and given by the authorities on international law; in the second place there might be given a series of courses dealing with different phases of international law, each of these phases being treated by a professor whose studies have borne more particularly upon the questions entering therein. Mr. SCOTT cites, by way of illustration, topics for such courses: origin and history of international law, the fundamental rights of states, juridical settlements of international conflicts, neutrality, etc. Thus, by professors of different nationalities, the different phases of international law might be dealt with thoroughly. In the third place, Mr. SCOTT considers that seminars might be organized at The Hague: each one of these seminars would be directed by several of the professors charged with the instruction; in case of necessity they might moreover obtain the valuable aid of the lecturer who had been dealing with matters germane thereto. These various modes of instruction might moreover be organized gradually by profiting by the experience gained; if we were to share in the scruples of Mr. VON BAR, nothing would be easier than to begin with the lectures; the organization of the courses themselves would have to be considered later.

Mr. SCOTT adds that in his judgment the number of lessons given by the same master should be rather large in number—about three or four per week—so that the students might not be able to follow the teaching of all the professors and that they might be forced to make a choice. Such an organization would have to meet various necessities: the study of special topics would be by means of lectures, the courses would give general instruction, and lastly, the seminars would be devoted to the thorough study of the most interesting parts of international law.

This exposition of the courses and method of instruction met with general approval. Thus, Mr. Lammasch stated that the courses of a general nature would be excellent and that their existence would contribute strongly to win the official support of the governments to the academy. Mr. Hagerup likewise concurred in the views expressed, especially that there be a general course, and that international law be divided into various courses in order to avoid the reproach of superficial treatment, which would undoubtedly be made to a general course dealing with international law as a whole.

From this brief account of the discussion of the academy by the Consultative Committee of the Institute, it is apparent that the following questions were carefully considered: the advisability and usefulness of the proposed academy; the nature and methods of instruction; the composition of its faculty; the time during which the academy should be open; and the participation of the governments in the composition of the student body. The result is thus expressed in the minutes of the proceedings:

The committee unanimously decides, with the exception of Mr. Holland, who abstains from voting, to recommend to the Carnegie Endowment the creation at The Hague of an Academy of International Law.

For the past year and more the Director has been in frequent correspondence with Mr. Asser, who may be considered as the representative of the publicists intent upon the creation of the academy to be installed in the Peace Palace. His views have frequently been laid before the Executive Committee, and the objections as well as doubts of the Executive Committee have been communicated to him. Especially is this the case in the matter of the need of such an academy, the extent to which the desire for it is shared by publicists of different nationalities, and the difficulty of securing a student body, which would, by its number and its influence, justify the Endowment in creating the academy. The Director took advantage of the meeting of the Institute of International Law at Christiania, to visit The Hague, in order to discuss personally with Mr. Asser these and other matters concerning the academy. Mr. Asser made an appointment with Mr. van Swinderen, Minister of Foreign Affairs, and Mr. van Karnebeek, the President of the Peace Palace Committee, because it is in the Peace Palace that the academy is to be housed if established, and if foreign governments are to be interested in the academy and to designate certain of their officials to attend the courses, the negotiations must be conducted by the Dutch Minister of Foreign Affairs. It does not seem necessary to state Mr. Asser's views on the matter of the general desire, because, at the Director's request, he had entered into correspondence with publicists of different countries and the replies received, so he asserted, indicate a very wide-spread and international support of the academy.

In the very interesting discussion which took place the following points, in addition to the general desire for the academy, were considered: the means of securing a student body of the kind most likely to profit by the lectures and courses of instruction and to exercise an influence on international affairs, particularly the designation of members of their service by the governments represented at the Second Hague Peace Conference; the nature and extent of the courses; the appointment of lecturers and professors and their compensation; and the date at which the academy, should it be created, would begin its labors. Each of these projects will be treated briefly without attempting to report the exact language of the various participants.

In the matter of the foreign governments, Mr. van Swinderen stated that he had had the pleasure of conferring with Mr. Butler, Acting Director of the Division of Intercourse and Education, that Mr. Butler stated that the coöperation of the governments in the way indicated overcame his own personal hesitancy, and that he felt it might be possible to create scholarships for the benefit of students officially designated by the governments. Mr. van Swinderen asked the Director of the Division of International Law his views as to the matter of scholarships, as it would be well to know whether or not this matter should be mentioned in the diplomatic correspondence, which he was about to undertake. The Director stated it to be his opinion that it would be better in the first instance to consider the matter of principle without com-

plicating it with the details concerning scholarships, and the question was not further discussed. Mr. van Swinderen expressed himself as thoroughly in favor of interesting the governments in the way proposed, adding that he would enter into relations at once with the diplomats of foreign countries accredited to The Hague, and that he believed he would be in a position to assure the Endowment perhaps before the close of the year of the willingness of the governments invited to the Second Hague Peace Conference to designate one or more competent persons of their diplomatic and consular, military and naval or administrative service to follow the lectures and courses of the academy. It may be said that the question of governmental participation was discussed by the Consultative Committee at Christiania, and that the idea was deemed both proper and feasible. Indeed, Mr. Hagerup stated that he believed his government would gladly coöperate. Mr. van Swinderen said that he had, in pursuance of the Director's request to Mr. Asser, already sounded the members of the diplomatic corps at The Hague and found them favorable to the idea, and he believed, as stated above, that their coöperation could be secured and that he would not refer to the question of scholarships in the discussions. He considered it to be a matter of very great importance to know when it was proposed to establish the academy, because the countries might wish to know considerably in advance when they would be requested to make their coöperation effective. He thought that it was the general opinion that advantage should be taken of the formal opening of the Peace Palace, which Mr. Karnebeek said would take place not later than September first, possibly the middle of August, of next year (1913). Mr. Asser felt that it would be impossible to make arrangements within the short time at the disposal of the committee, of which he is chairman, for the lectures and the courses, as this would require a very great deal of correspondence, and he did not feel justified in going ahead unless the creation of the academy were assured and the date of its opening were fixed. He called attention to the fact that the Dutch committee having in charge the establishment of the academy proposed, in accord with the Palace committee, to constitute a special committee to be called the Curatorium, which body should be composed of approximately eleven members, ten of whom should be past presidents of the Institute of International Law, together with a representative of the Carnegie Endowment, that the Curatorium should as a body outline the instruction to be given by the academy and choose the lecturers and professors constituting the faculty, and that steps could not well be taken to form the Curatorium until it was definitely decided to establish the academy. As, however, the coöperation of the Carnegie Endowment was to be conditioned upon the coöperation of the governments, and as the coöperation could not probably be assured before the end of the year, it would be inadvisable to constitute the Curatorium in advance of the assurance, and the Curatorium, if appointed in January, would not have time to make the necessary arrangements to open the academy in August or September and to give to the academy

the publicity which is so necessary in order to enable students in different parts of the world to attend in considerable numbers its opening sessions. He insisted, however, that a beginning should be made and that at least lectures on certain carefully chosen and timely subjects should be given in August, September and October, even if the detailed courses could not be offered. Mr. van Swinderen likewise considered that at least a beginning should be made and, as the best means of starting the academy and as showing the interest of the Netherland Government in the enterprise, he stated that he would request his government to invite a number of lecturers as the guests of the government as a part of the formal proceedings connected with the opening of the Palace, and that the lectures as delivered should be published as a part of the official proceedings. This solution appeared to the members present as an admirable adjustment of the difficulty, as it would allow the Curatorium, when appointed, the time necessary to make arrangements both for the lectures and courses to be given in the year 1914.

The question of the courses of instruction, the appointment of the lecturers and professors to constitute the faculty, as well as their compensation, was then taken up. Without entering into details, it was agreed that the lecturers, approximately four in number, should not only be theoretically qualified to discuss the subject-matter of their lectures, but that they should also have had practical experience in the various subjects so that the lectures, when published, would appeal not only to theorists but to practitioners as well, and would be distinct contributions to the literature of international law and diplomacy. It was also felt that regular instruction should be given by professors, who would thus form the teaching faculty for the summer term, during the months of August, September and October, upon the condition that not more than one from any country should be designated, in order to internationalize, as far as possible, the instruction. It was also agreed that not merely international law but related subjects necessary to its correct understanding should be offered, as well as courses in international law, technically so called, as proposed by Mr. Sturdza, and that the subjects taught should be provided in such a way that the instruction should be thorough, thus avoiding the danger of superficial treatment. This, however, as was stated, was a matter for the Curatorium to consider, and it would no doubt be satisfactorily arranged. In the matter of the compensation, it was felt that the honorarium should be sufficient to offer an inducement, but not large enough to make it the sole inducement; in other words, that it should adequately compensate the lecturers and professors for the time spent in preparation and to meet their expenses at The Hague; otherwise connection with the academy would involve a sacrifice. This was agreed to, but, like the arrangement of the courses and the selection of the lecturers and professors, was a matter for the Curatorium, and would have to depend upon the amount of money at their disposition. Mr. Karnebeek stated that ample quarters in the Peace Palace would be set aside for the academy,

when constituted, without expense to the academy, and that arrangements had been made for a library dealing with international law, the conflict of laws, and diplomacy, which would be at the service of the lecturers, professors and students of the academy, as well as the members of the Court of Arbitration and the agents and lawyers engaged in the trial of international cases. He felt that this in itself would be an incentive to professors and students to resort to The Hague to continue their studies in international law, and that the presence both of the Permanent Court and of the academy in the Palace would call constant attention to the fact that the nations have entered upon a new era in their international relations.

Should the details of the academy be worked out in accordance with the general principles here agreed upon, it is evident that it would not compete with any existing institution, that the instruction given would supplement rather than duplicate the ordinary instruction given in universities, colleges, and schools of political science; that it would therefore be unique in its object and purpose, unique in the time of its sessions, unique in its faculty, and unique in its student body, especially if the governments should coöperate in the selection of the student body.

The Court of Arbitral Justice

In connection with the Christiania session of the Institute of International Law should be mentioned the thorough discussion of the needs and advantages of a Court of Arbitral Justice, as drafted by the Second Hague Peace Conference, and the unanimous adoption of a resolution recommending the establishment of this truly permanent court. The question is not irrelevant, because Article (f) of the proposed charter states one of the aims and purposes of the Endowment to be "to promote a general acceptance of peaceable methods in the settlement of international disputes," and the consideration of such methods falls within the scope of the Division of International Law. From another point of view, its mention would seem to be important in order that the present report should give an adequate idea of the Director's activity, because the Paris meeting of a committee of the Institute to consider proposals for the Third Hague Peace Conference, of which committee the Director is a member, included a recommendation of the proposed Court of Arbitral Justice,* and the discus-

*"Several members called attention to the fact that the solution of this question at the meeting of the Second Hague Peace Conference encountered a political rather than a juridical obstacle, arising from the difficulty of agreeing upon the choice of judges and upon the constitution of the court. These members observed that, while the Institute cannot resolve a difficulty of this nature, it nevertheless appeared that the Institute should show the interest which it takes in the institution, and in consequence the question could not be passed over in silence. It is in this sense that the following resolution was unanimously voted: 'The Commission considers highly desirable that satisfaction be given to the first *view* adopted by the Second Peace Conference in favor of the establishment of a Court of Arbitral Justice.'"

sion of it which took place at Christiania was due to the joint action of Mr. Lammasch and the Director, and in this discussion the Director participated. When the report of the sub-committee, which met at Paris in October, 1911, was laid before the Institute, Mr. Lammasch stated his intention to make a motion in favor of the establishment of the Court of Arbitral Justice and to ask a vote upon it. This he did at the afternoon session of August 28, and supported it by a clear and unanswerable argument in favor of its establishment. The discussion became general, at the conclusion of which Mr. Lammasch's motion was put to vote and unanimously carried.

As this is the first time that the Institute has formally declared itself in favor of the establishment of a truly permanent international tribunal, namely, the Court of Arbitral Justice proposed by the American delegation at the Second Hague Conference, pursuant to specific instructions from Secretary Root, and as the question was thoroughly, indeed exhaustively, discussed by those members of the Institute who have had practical as well as theoretical experience in arbitration—among others, Mr. Lammasch, Mr. Hagerup, Mr. Gram, Mr. Clunet—and as the resolutions of the Institute carry weight not merely with professors of international law but with responsible statesmen and diplomatists, the Director translates and quotes an extract of the *procès-verbal* of the session, including the recommendation adopted:

Extract from the procès-verbal of the afternoon session of August 28, 1912, of the Institute of International Law.

Presidency of Mr. Hagerup.

The President opens the discussion in regard to a *vœu* proposed by Mr. Lammasch in the interest of the creation of a Court of Arbitral Justice. Mr. Lammasch reads the following *vœu*:

"While recognizing the great value of the Court of Arbitration, instituted by the Peace Conference in 1899, to international justice and the maintenance of peace, The Institute of International Law:

"In order to facilitate and to hasten recourse to arbitration; to assure the settlement of differences of a legal nature by arbiters representing the different systems of legislation and of jurisprudence;

"In order to reinforce the authority of the tribunals in the eyes of the representatives of the parties in controversy by having the members of the tribunal known to them in advance, and likewise to increase the moral force of the decision by having it rendered by a larger number and by the authority of arbiters recognized by the totality of the states;

"In order to resolve, in case of a treaty of compulsory arbitration containing a clause to this effect, the doubts which might arise as to whether or not a particular controversy belongs to the category of questions subject to compulsory arbitration under the treaty;

"In order to create a Court of Appeals for decisions rendered by tribunals constituted otherwise than in conformity with the rules of the Hague Convention, in case the special *compromis* should provide for the possibility of such a revision;

"Considers it highly desirable that satisfaction be given to the first ~~view~~ adopted by the Second Peace Conference in favor of the establishment of a Court of Arbitral Justice."

This conclusion agrees with that adopted by the Committee of Nine. The proposition to create a practically permanent arbitration court, made by the American delegates to the Second Peace Conference, has suffered from a misunderstanding. This misunderstanding consists in the fact that it was at first thought that the proposition was intended to do away with the existing permanent court and to substitute for it the one proposed by the American delegation. Now, this was not the case. As was subsequently explained to the satisfaction of everyone, it had for its object the establishment of a new court by the side of the old. In the course of the scientific discussion which followed the Second Hague Conference, the defenders of the Court of Arbitral Justice have oftentimes, in the opinion of Mr. Lammasch, made the mistake of introducing into the arguments which they advanced in the interest of this new court bitter and sometimes unjust criticism of the arbitral decisions rendered by the tribunals constituted within the precincts of the present court. Mr. Lammasch, proceeds to set forth the reasons of a purely juridical nature that militate in favor of a permanent court on the lines of the proposed Court of Arbitral Justice. Such a court might well be composed of a larger number of arbitrators than we find in the present tribunals which, as a rule, have from three to five members. Now, the greater the number of judges who participate in one and the same decision, the greater will be the certainty of justice and also its moral force. This moral force will be increased by the further fact that these members of the new court will represent the various systems of legislation and procedure. The procedure which they will have followed and the result which they will have reached become, therefore, the more intelligible to everybody. At the present time, it is mainly the difference between the Anglo-American system and the various systems of the European continent that leads at times to misunderstandings. These misunderstandings could be avoided if, in each case, we could make certain of the collaboration of arbitrators belonging to both of these two principal groups of systems. Since the members of the Court of Arbitral Justice are known beforehand by the Powers in controversy, they may choose, with full knowledge of the members composing them, between the older court and the new one.

If the members of the new court inspire them with confidence, they will choose that court. If they do not inspire them with confidence, then they organize an *ad hoc* tribunal in accordance with the regulations of the Hague Convention of 1899 as amended by the Second Conference.

In the tribunals organized in accordance with the conventions of 1899 and 1907, the members and the president, who are frequently but little known to the agents and the counsel of the parties, must win their confidence in the course of the pleading, whilst in the Court of Arbitral Justice they will be known not only to the parties themselves but to their representatives in the controversy as well, a fact which will increase and insure the force of the interlocutory decisions to which the parties must submit.

In the present system, the procedure to be followed in organizing the arbitral tribunal sometimes entails deplorable delays. In the course of the

delays made necessary by the election of the arbitrators and especially of the president, the situation may become complicated by the heat of public discussion, and the amicable settlement of the difference by judicial authority may be imperiled.

As for the smaller states, we must not forget that the present procedure is sometimes rather costly, whilst the expenses to be borne by them through the creation of the new Court of Arbitral Justice are small, if we are to judge by the expenses entailed by the Postal Convention.

But the greatest advantages of the system of the Court of Arbitral Justice may perhaps be stated to be the following:

It may happen that two states which have concluded a treaty of compulsory arbitration are not agreed as to whether a definite controversy which arises between them is of the character of those which they are obliged to arbitrate by virtue of the treaty. In such cases, it is quite clear that they should submit this preliminary question to the decision of the Court of Arbitral Justice. The arbitration treaty itself might contain a clause to that effect, or a special *compromis* might refer the decision of this preliminary matter to the court.

Lastly, the Court of Arbitral Justice might operate, if the special *compromis* or the arbitration treaty contained a provision to that effect, as a tribunal of appeal (revision) for arbitral decisions rendered by tribunals organized in accordance with the rules of the Hague Convention.

For these reasons, in the opinion of Mr. Lammasch, the creation of a Court of Arbitral Justice as a complementary organ of the present court would constitute real progress along the path of justice and of peace. Again Mr. Lammasch emphasizes the fact that it is not a question of substituting the new court for, nor of superimposing it upon, the present court. It seems to him that his personality alone constitutes the guaranty that any proposition emanating from him could not be inspired by a spirit of hostility to the present court.

Sir Thomas Barclay approves the remarks of Mr. Lammasch. He asks the latter if he thinks the Court of Prize should be taken as the base on which to establish the permanent court.

Mr. Lammasch answers that that is not his intention.

Sir Thomas Barclay then puts a question regarding the residence of the judges and the manner of organizing the court.

Mr. Lammasch declares that this last question is of too delicate a nature to be solved by the Institute. The system of rotation was invented by the Hague Court in order to safeguard the mathematical equality of the states. As for the permanent residence of the judges at The Hague, this evidently will not be necessary.

Mr. Clunet remarks that actually the greatest difficulty lies in the selection of the arbitrators by the states, a selection which consumes too much time. Certain states are inclined to press the appointment as judges to the arbitration tribunals of non-professionals and even their own officials. They would be spared this reciprocal temptation if there existed a body of magistrates rendered independent by the nature of their functions and by the fact that their government had selected them before any controversy had arisen. This would be of great advantage to counsel.

Mr. Lammasch.—If we accept the principle of freedom of choice by the states between the permanent court and a tribunal composed *ad hoc*, the

institution is excellent. The remark of Mr. Clunet is of the greatest value. I will go even further. The very presence of the nationals as arbitrators on the tribunals has certain drawbacks. Of course, they often display perfect impartiality as, for instance, Mr. Justice Gray and Sir Charles Fitzpatrick in the North American Fisheries case. But the reverse may happen.

Mr. de Lapradelle insists upon the fact that on the proper occasion nationals as arbitrators know how to be true judges.

Mr. Lammasch.—The establishment of a permanent court, while decreasing to a large extent the dangers set forth by Mr. Clunet, would not entirely remove them. If diplomatists desire a compromise, they may make choice of a special tribunal.

Mr. Kebedgy recognizes all the advantages of a permanent court and the necessity of organizing that court with competent persons on it. He could not, however, but be struck at the same time with the difficulties which the organization of this court has encountered. He declares himself ready to vote for the resolution offered by Mr. Lammasch, but on the condition that it be thoroughly understood that that implies in no way the acceptance beforehand of a court composed in any offhand manner.

The President states that everybody agrees to eliminate the question of the composition of the court.

Mr. J. B. Scott expresses his complete acceptance of the views expressed by Mr. Lammasch and of the judicious observations of Mr. Clunet upon the creation of a court of arbitral justice. He calls attention to the fact that in questions of a political nature, which governments have not been able to settle through diplomatic channels, a compromise may be reached by the existing court. But, if the governments wish to settle their differences by the impartial application of principles of law, they must appeal to a court composed of jurists, that is to say, of men accustomed to apply principles of law to concrete problems. It may well be that the compromise of an international dispute is to be preferred to its judicial determination, but governments should know in advance and by the very nature of the institution to which resort is had, whether to expect a judgment based upon principles of justice also known in advance. Thus, within the last two years, Chile and the United States submitted a dispute—the so-called Alsop case—which diplomacy had failed to adjust and which the parties would not agree to arbitrate, to the King of Great Britain as amicable compositor. It may also be the desire of the disputants that a controversy shall be settled in general reliance upon principles of law or, as the convention for the peaceful settlement of international disputes puts it, "on the basis of respect for law," but not necessarily determined by the mere application of those principles to the exclusion of those larger and broader views, which we usually identify with equity. But the governments should clearly know whether they are to expect a judicial or an equitable adjustment. In the present method of arbitration, it is impossible to forecast the probable result, because it cannot be known in what proportion the judges of the parties' choice may apply law or lean to equity, and it is to be feared that governments hesitate to resort to the present permanent court by reason of the doubt and uncertainty which must exist from its composition and from the tendency of persons appointed under such conditions to compromise. If, however, a court existed

with a permanent body of judges, who had had either judicial experience or the training of lawyers and jurists, nations in litigation might well be inclined to submit the case to the judgment of such a tribunal, because the principles of law to be applied or rejected can be divined in advance and the members of the court, judges by profession or lawyers by training, could be relied upon to apply those principles of law, which either are or can be known by the parties before the submission of the case. In this way nations would be free to choose the method of adjustment appropriate to the dispute or to the principle involved, and instead of one method for the peaceable settlement of international disputes, we would have three—namely, amicable composition, arbitral adjustment, judicial decision.

We may readily admit that peaceful settlement is in and of itself the goal toward which we strain our eyes, or in other words, that peaceful settlement is the substance; the method of settlement a matter of form. A little reflection, however, will convince us that this is not really so, and that the manner of settling a controversy is not a matter of indifference to believers in peaceful, especially judicial, settlement. The opinion of an amicable compositor can neither be forecast nor serve as a precedent. Arbiters of the parties' choice are supposed to be free to exercise their discretion in reaching a settlement, and, if this be so, it is clear that their holding need not influence a future body as free to exercise its judgment and discretion as they. In the case of a tribunal composed of permanent judges, it is at once evident that they must of necessity consider carefully before rendering a judgment, as, when once rendered, they cannot very well question, overthrow or otherwise refuse to follow it, for by so doing they discredit themselves as well as their judgment. A permanent court is therefore from its very nature calculated to develop international law by a series of precedents, just as, for example, the development of the common law of England is due almost wholly to judicial decisions. The proposers of the Court of Arbitral Justice had in mind this inherent and inevitable tendency of a court of justice, when they recommended the Court of Arbitral Justice as capable of assuring the continuity of arbitral jurisprudence. Mr. Scott is therefore a declared and outspoken partisan of the proposed Court of Arbitral Justice, which must, in his opinion, of necessity inspire a greater confidence among the states than the existing court, and which would be capable of developing international law as a system of law for the peaceful settlement of international controversies. While fully aware of the difficulties involved in the composition of such a permanent tribunal, he nevertheless believes that they will be overcome, if the nations really want the court, and devote themselves seriously and with singleness of purpose to its creation.

Mr. Gram is in harmony with the judgment expressed by Mr. Lammasch. The question of the composition of the court seems to him to be the most delicate, and so far as he is concerned, he can hardly foresee its solution. The representation of the states in controversy before the tribunal cannot but present certain inconveniences. Therefore, he believes that the total number of nationals acting as arbitrators on a given tribunal should not exceed the total number of neutral members of tribunal.

Mr. Clunet asks Mr. Gram whether, in a general way, it would be desirable to exclude nationals entirely as arbitrators or whether the present

system, that is, the system of a majority of neutral members, is not more satisfactory since it permits both parties to call attention, in the very bosom of the tribunal, to the arguments favorable to their case.

Mr. Gram declares that this last form is not a bad one. It may, however, happen that there are more than two parties in controversy and, even if one were to approve the present composition, one may ask whether it would not be preferable that there be only neutral magistrates. I like to think, he said, that that will be the solution of the question in the future.

Messrs. Jordan and de Lapradelle both remarked that the presence of nationals as arbitrators on the tribunal offers assurance to the parties against phraseology that might wound their susceptibilities.

Mr. Lammasch believes that in certain cases of a political nature, the states would not readily give up the guarantee which they find in the presence of nationals as arbitrators on the tribunal. He believes that the present system has the advantage of reassuring the states and of causing them to accept arbitration more readily. It is better to have arbitration by national arbitrators than none at all. It might, perhaps, be well to have nationals on arbitral tribunals only in an advisory capacity.

Mr. Kebedgy, after having heard the statements of his eminent colleagues, Messrs. Gram and Lammasch, would relate the facts which have come to him from his own experience, having been a member of an international court of justice for four years. He thinks it very desirable that an international court should have among its members representatives of the interested parties. That constitutes a guarantee that the question has been examined from every possible viewpoint and that the decision will be better received by all those interested.

The President puts the proposition of Mr. Lammasch to a vote and it is adopted unanimously.

If it be borne in mind that publicists of fourteen different states were represented at the Christiania session of the Institute; that the question of the Court of Arbitral Justice was, as above stated and as appears from the *procès-verbal*, thoroughly discussed and a formal vote taken, it will perhaps be admitted that the action of the Institute has well-nigh the importance of an international event, and that the discussion of this question alone would have amply justified the session.

The American Institute of International Law

The Director calls attention to the founding on October 12, 1912, of an association similar in character to the Institute, namely the American Institute of International Law, which, it is hoped, will render to international law services comparable to those of the European prototype. While not asking financial assistance for the American Institute, as it is impossible to predict with certainty the value of its services until it has been in existence and successful operation for a period of years, the Director nevertheless feels that the Board of Trustees will be interested to learn the aims, purposes and organization of an association calculated to advance the purposes for which the Endowment itself was

created. Especially is this the case, if it be noted that the President of the Board of Trustees is honorary president of the American Institute, and that both he and the Director are largely responsible for its organization.

In June, 1911, Mr. Alejandro Alvarez, legal adviser to the Ministry of Foreign Affairs of Chile and member of the Permanent Court of Arbitration, and the Director of the Division of International Law considered the advantages and feasibility of establishing an American Institute of International Law, which should be a private association, composed of five publicists from each of the states of the American continent. It was felt that this would be a common meeting-ground for American publicists to discuss and decide practical problems, especially American problems, according to the principles of international law; that the exchange of views would be a benefit in itself; and that the personal friendships formed at the meetings of such an Institute would go far to remove the distrust with which Latin American publicists regard the motives of certain states, especially our own. But whatever services such an institute could render to international law and its development, it was apparent that it would not of itself popularize its principles. It was therefore decided that there should be established, in connection with the Institute, national or local societies in every capital of Latin America, which should be affiliated with the American Institute, and whose members should be associates of the Institute. It was considered advisable that a periodical or journal should serve as the organ, not only of the Institute but of the national societies affiliated with it, but that there was no need to found a review, as a Spanish translation of the *American Journal of International Law* would be sufficient, and would at the same time have a circulation beyond the members of the local societies. Representative publicists of each of the American countries have been consulted, and they have expressed themselves strongly in favor of the project. The conference of jurists which met at Rio de Janeiro in June and July last to consider the codification of international law, declared itself in favor of the projected Institute, and representative European publicists have welcomed the formation of the American Institute in a series of opinions printed in the *Revue Générale de Droit International Public* (1912), Vol. XIX, pp. I-VII and 329-344. The constitution and by-laws have been prepared and approved. The Mexican Society of International Law, affiliated with the American Institute, has been formed under the leadership of Joaquin Casasus, formerly ambassador to the United States; Francisco de la Barra, formerly ambassador to the United States and Provisional President of Mexico, the present Minister of Foreign Affairs; and José Romero, nephew of a former minister to the United States.

The promoters of the project were able to declare the American Institute founded on October 12, 1912, and to announce Mr. Root as honorary president, Mr. James Brown Scott as president, Mr. Alvarez as secretary general, and Mr. Luis Anderson, formerly Minister of Foreign Affairs of Costa Rica, as treasurer. It is expected that the American Institute, like its European prototype, will not

meet in any fixed place, but will hold its sessions in various countries, probably every two years. The first formal meeting, however, will be held in Washington.

As the present purpose is merely to inform the Trustees of the creation of an agency calculated to make for the development of international law and the peaceful settlement of international disputes by the application of principles of law, and as no subvention is asked for, it is deemed neither wise nor necessary to enter into further details. Should, however, the new Institute render a tithe of the service already performed by the European prototype, it will have more than justified its organization and the disinterested and unremunerated labors of its founders.

Report on the Teaching of International Law in American Institutions of Learning

At the last meeting of the Trustees of the Endowment the following resolution was adopted on motion of Honorable Andrew D. White:

Resolved, That the Executive Committee be directed to propose and carry out, subject to the approval of this Board, a plan for the propagation, development, maintenance and increase of sound, progressive and fruitful ideas on the subject of arbitration and international law and history as connected with arbitration, especially through addresses or courses of lectures delivered before the leading universities, colleges and law schools of the United States, and to report on the same at the next regular meeting of the Board, or, should the committee think best, at a special meeting to be called for that purpose.

The report called for by this resolution will be submitted to the Trustees in printed form in advance of the next annual meeting.

To permit compliance with the purpose of the resolution, the Secretary sent for the annual catalogues of the universities, colleges and law schools in the United States, enumerated in the annual report of the United States Commissioner of Education for the year ended June 30, 1911 [the latest available]. To each institution was also sent a series of questions asking details regarding instruction in public international law, if any such instruction was given. Replies were received from the majority of the institutions addressed. Of the institutions which replied, 255 stated that international law or some closely related subject was taught in one or more departments of instruction. The related subjects include diplomacy, world politics, and other such courses in which international relations are the chief object of study.

The report is accompanied by a tabular statement which enumerates the institutions in which international law or some closely related subject is taught in one or more courses or departments. It shows the name and location of each institution; the department of instruction in which international law or a related subject is taught; the exact name of the course; the collegiate year in which the

course is taught; the number of hours per week and per year devoted to the course; the total number of collegiate and graduate students in the institution; the total number of students in the law schools; the number of students taking international law or cognate courses; and whether the course is required or elective.

Two other appendices show the names of the professors, instructors, and lecturers on international law and related subjects during the collegiate year 1911-12.

A number of tables have been compiled based upon these statements; and upon the tables and other facts elicited in the investigation, the Director submits the following recommendations in accordance with the terms of the resolution of Mr. White:

1. That a copy of the report be sent to all institutions of higher education.
2. That a report similar in purpose to the present report, be made to the Board of Trustees periodically, with a view of regularly measuring the advance made in the teaching of international law in American educational institutions, and in standardizing the methods of instruction; and the increase in the number of students engaged in the study.
3. That the Endowment call a conference of the professors of international law in our leading educational institutions, to consider the present position and steps for the future development of this study.

That the American Society of International Law be requested to place on the program of one of its annual meetings the subject of the teaching of international law in American institutions of learning; and that if this be done, the teachers of international law be requested to attend the meeting and participate in the discussion of this question.

As a part of the regular program of the American Society of International Law, such a conference would have a scientific standing; would avoid any suspicion of a pacifist purpose, to which peace propaganda is often exposed; and would give to the discussions the benefit of the great practical experience of the eminent international lawyers who attend the annual meetings of the Society.

That the deans of all law schools in which international law is not now taught also be invited to attend this conference.

That provision be made for paying the travelling expenses of such of the instructors in international law as would otherwise be unable to attend.

The conference would be especially asked to consider:

- (a) Plans for increasing the facilities for the study of international law; for placing the instruction on a more uniform and scientific basis; and for drawing the line between undergraduate and graduate instruction;
- (b) The question of requiring a knowledge of the elements of international law from candidates for advanced degrees;
- (c) The advisability of urging all institutions, with post-graduate courses in law, to add a course in international law where not already given;

(d) The advisability of calling the attention of the State bar examiners to the importance of requiring some knowledge of the elements of international law, in examinations for admission to the bar;

(e) The advisability of requesting the American Bar Association, through its appropriate committee, to consider the question of including the study of international law in its recommendations for a deeper and wider training for admission to the bar;

(f) The desirability and feasibility of plans for securing the services of professors of, or lecturers on international law, to whom can be assigned definite lecture periods in institutions where international law is not now taught or is inadequately taught,—these services to rotate between the institutions where they will be acceptable;

(g) The advisability of requesting universities which now have summer schools to include among the subjects offered courses on the elements of international law, and, if there be occasion for it, to offer advanced courses of interest and profit for advanced students and instructors.

4. That the report of the proceedings of this conference, which would be published as part of the annual proceedings of the American Society of International Law, be circulated among the educational institutions of the country.

Report on the Neutrality Laws of the United States

At the meeting of the Trustees on December 14, 1911, on a motion of Mr. Slayden, the Division of International Law was called upon to prepare a report on the neutrality laws of the United States, to be presented to the Trustees at their meeting in December, 1912.

The report which is now submitted is comprehensive in character, and discusses the neutrality laws of the United States from both an historical and critical point of view. An introductory chapter explains the character and scope of neutrality laws in general, the obligations of a neutral state in international law, the necessity of municipal legislation to give effect to those obligations, and the extent to which such legislation may or should properly be carried. A second chapter sketches the history and development of the neutrality laws of the United States. The object of this chapter is to set forth the traditional policy of the United States upon the matter of neutrality laws, and to show the changes in those laws which have been brought about by the necessity of adapting them to existing conditions. A third chapter states the authoritative interpretation of the present neutrality laws of the United States, as determined by judicial construction. This chapter is supplementary to the second and aims to give an exact statement of the actual restrictions imposed upon United States citizens by the neutrality laws of this country. A fourth chapter deals with the limitations of the neutrality laws of the United States; it defines the acts which, though apparently of a non-neutral character, are not included within the scope of the existing neutrality laws, and discusses the

advisability of an extension of those laws to cover such acts. A fifth chapter proposes a draft of a new neutrality code embodying the principles set forth in the preceding chapters, and considered more in accord with the recognized obligations of the United States.

Publication of All Known International Arbitrations

With respect to this special subject, it would seem appropriate to repeat what was stated in the Year Book of the Endowment for 1911.

The plan and scope of this work, as outlined by Professor Moore, is designed to embrace all international arbitrations, mediations of so formal a character as to be analogous to arbitration, and the proceedings of domestic commissions established for the adjustment of international claims; to make the reports of all these matters full and complete; and to present them in such form as to enable the work to be serially continued after the present editor may cease to be connected with it.

The decisions of The Hague Court will form an independent series, but will also be incorporated in the general collection. The different series of our law reports indicate not only separate and often independent jurisdictions, but also to some extent separate and often independent bodies of law. The ideal of international law being one law for the whole world, there is a peculiar appropriateness in having one undivided and continuous work that shall embody the decisions of all international tribunals. It is believed that the entire work will require at least twenty-five volumes, of which Professor Moore's *History and Digest of International Arbitrations* will occupy in the aggregate about ten volumes. Each volume of the collection will have its own table of contents and its own index; and at the end of the collection there will be a volume exclusively devoted to an index of the whole.

At the meeting of the Executive Committee on October 26, 1911, the Director of the Division submitted a memorandum from Professor John Bassett Moore, concerning the scope, plan and details of the work as set forth in the above extract from the Year Book. A resolution was presented and adopted, authorizing the Secretary to enter into a contract with Professor Moore. This was done and it is understood that Professor Moore has begun his work. Through correspondence it was arranged that certain work, involving the use of the records of the Department of State, should be carried on at Washington, and in pursuance of this plan, copies are being made of documentary records of arbitrations, claims commissions, etc.

The Publication of All Known Arbitration Treaties

At the meeting of the Executive Committee on October 26, 1911, the Director of the Division submitted a report concerning certain projects to be undertaken by the Division. Among these was that providing for the collection and

publication of all known arbitration treaties. A resolution was presented and adopted providing that the work be undertaken by the Endowment through the Division of International Law. The plan, as outlined for the information of the committee, involved the collection of all known arbitration treaties, general and special arbitral clauses and *compromis*. It was proposed that the publication be divided into two parts, one to contain all the ancient and medieval treaties, the other to contain the modern treaties from 1794 to 1910. The publication is to be carefully annotated and accompanied by a comprehensive analytical index, which will not only be a guide to the contents of all the volumes but will, under proper headings, analyze and classify the treaties, as, for example, subject matter of the arbitration, the nature and composition of the arbitral tribunal, etc. It should also be stated that the proposed publication is to include not only the translations of the various treaties, but also the original texts. Such a publication will be a reference work of its kind without precedent, and in consonance with the scientific character of work naturally to be expected of the Endowment.

In accordance with the plan above outlined, the work of collecting, examining, and transcribing all arbitration treaties and agreements has been carried on, the investigation at this date practically covering the modern period from 1794 to 1910. The first treaties to receive attention were those of the United States with foreign Powers. The examination of the various sources has been carefully made, and it is believed that the collection is complete, although there may be found, upon final verification, some conventions and informal protocols not hitherto published, and which can only be obtained from manuscript records through the co-operation of the Department of State. The examination of this particular branch of the work has involved the study of the various well known publications officially promulgated by the Government of the United States in 1873, 1889, 1904 and 1909, the last named, as the most complete, being the chief source. References contained in publications relating to the foreign affairs of the United States, such as *Foreign Relations*, special reports, etc., have been examined also, in order that no agreement, however informal, might be overlooked.

The treaties of Great Britain with other Powers next received attention, examinations being made of the standard British official publications and other sources, and the material selected and transcribed. Naturally the great majority of the treaties of Great Britain with foreign governments are found in the original English text, and it is fair to assume that very few will be found exclusively in some other language. The sources upon which special reliance has been placed as to the British treaties, are the *British and Foreign State Papers*, a publication consisting of one hundred volumes, covering the period from 1373 to 1906; and Sir Edward Hertslet's *Collection of Treaties and Conventions*, etc., a work consisting of twenty-five volumes, which also covers the same period. The final examination of these two publications is yet to be made.

Another source which has been of great help in this work, is La Fontaine's

Pasicrisie, a publication which contains a vast number of extracts from treaties of all countries, wherein provision is made for the settlement of specific controversies by arbitration. Inasmuch as the greater number of the treaties printed in the *Pasicrisie* are in French, Spanish, German and other foreign languages, the work connected with this particular branch of the investigation has been arduous and painstaking. In fact, it has involved thus far the translation of treaties from many languages, besides a further extended research into all locally available sources, to obtain the originals of any arbitral agreements of which the author apparently had been unable to secure texts in Europe. Considerable success has been had in supplying these missing treaties, and it is expected that further investigation will eventually obtain the desired documents.

It would seem appropriate that due attention be called to the practical impossibility of relying solely upon published sources for this work on arbitration treaties, if accuracy of text and finality as to the actual number of such treaties is the desideratum. Even though all published sources (of which there are a large number) be thoroughly examined, the Division could not give its sanction to the publication as complete, accurate and final, until it had been verified in some authoritative way by the different nations of the world. Hence, however complete the collection may be, based upon the ordinary public sources of information, it would not be compatible with the aims and purposes of a research of this character if the work should be published in the name of the Endowment, without the most complete verification possible to obtain.

The following is a list of the principal sources from which have been and will be obtained, the texts of the general arbitration treaties, general and special arbitration clauses, and *compromis*, to be arranged and printed in this publication of the Division:

GENERAL COLLECTIONS OF TREATIES.

DESCAMPS, EDOUARD, et LOUIS RENAULT.

Recueil international des traités du XX^e siècle.

DUMONT.

Le corps universel diplomatique du droit des gens (8 vol., 1726-1731), comprising treaties concluded from 800 to 1730.

HERTSLET, A. B.

British and Foreign State Papers (100 vols. 1373-1906).

LA FONTAINE.

Pasicrisie Internationale (1794-1900).

LEIBNITZ.

Codex juris gentium diplomaticus (1096-1500).

Mantissa Codicis (1693-1700).

MARTENS, CH. DE, ET DE CUSSY.

Recueil manuel et pratique des traités et conventions, etc., depuis 1760 jusqu'à l'époque actuelle (1856). Continued by GEFFCKEN.

MARTENS, G. F. DE.

Recueil des principaux traités d'alliance, de paix, de trêve, de neutralité, de commerce, etc., etc., depuis 1761 jusqu'à nos jours (1801). Collection continued by CH. DE MARTENS, SAALFELD, MURHARD, SAMWER, HOPF, STOERK et TRIEPPEL under the title of *Nouveau Recueil Général des traités, etc.*

SCHMAUSS. *Corpus juris gentium academicum* (1076-1731), 1731.

WENCK. *Codex juris gentium recentissimi* (1735-1772), 1781-95.

SPECIAL COLLECTIONS OF TREATIES BY COUNTRIES.

ARGENTINE REPUBLIC.

Tratados, convenciones, protocolos y demas actos internacionales vigentes celebrados por la Republica Argentina (t. I et II, 1901).

AUSTRIA.

NEUMANN: (Continued by PLASSON DE LA WAESTYNE), *Recueil des traités . . . par l'Autriche avec les puissances étrangères depuis 1763 jusqu'à nos jours.*

ANGEBERG: *Recueil des traités, concernant l'Autriche et l'Italie depuis 1703 jusqu'au commencement des hostilités* (1859).

BELGIUM.

GARCIA DE LA VEGA: *Recueil des traités et conventions concernant le royaume de Belgique.* Continued by DE BUSSCHERE. *

GUILLAUME: *Code des relations conventionnelles de la Belgique avec les Pays-Bas et la France*, 1894.

LANCKMAN: *Code des relations extérieures de la Belgique*, 1892.

DE BUSSCHERE: *Code des traités et arrangements internationaux intéressant la Belgique*, 1897.

BRAZIL.

Codigo das relações exteriores do Brasil, 1900.

CHILE.

BASCUÑAN: *Tratados de Chile.*

SOLAR: *Los Tratados de Chile.*

CHINA.

MAYERS: *Treaties between the Empire of China and the foreign powers*, 1903.

Treaties, conventions, etc., between China and foreign States, 1908.

COLOMBIA.

Tratados públicos de Colombia, 1883 (*Apendice en 1906*).

COREA.

Treaties, regulations, etc., between Corea and other powers (1876-1889), 1891.

COSTA RICA.

Coleccion de los tratados de la Republica de Costa Rica.

DENMARK.

Ministry of Foreign Affairs: *Recueil des traités politiques et de commerce.*

DOMINICAN REPUBLIC.

Coleccion de los tratados internacionales celebrados por la Republica Dominicana desde su creacion hasta nuestros dias, 1882.

ENGLAND.

HERTSLET: *A complete collection of the treaties...between Great Britain and foreign powers* (25 vols.); by same author *British and Foreign State Papers* (100 vols.).

FRANCE.

DE CLERCQ: *Recueil des traités, conventions et actes diplomatiques conclus par la France avec les puissances étrangères* (1713-1904).

GERMANY.

Sammlung von Staatsverträgen des Deutschen Reichs über Gegenstände der Rechtspflege, 1895.

GUATEMALA.

SALAZAR: *Coleccion de tratados de Guatemala*, 1894.

HAITI.

LÉGER: *Recueil des traités et conventions de la République d'Haiti*, 1905.

INDIA.

AITCHISON: *Treaties and engagements relating to India and neighboring countries*, 1892.

ITALY.

The collection of the Minister of Foreign Affairs: *Raccolta dei trattati*, etc.
LUIGI PALMA: *Nuova raccolta dei trattati*, etc.

JAPAN.

MATSUDAIRA ET YORIKADSU: *Völkerrechtliche Verträge d. Kaiserth. Japon in wirtschafth. rechtl. und polit. Beziehung*, 1890.
Treaties and conventions between the Empire of Japan and other powers (1854-1888).

LATIN AMERICAN STATES.

CALVO: *Recueil historique complet des traités, etc., de tous les Etats de l'Amérique latine, depuis l'année 1493 jusqu'à nos jours* (1869).

LUXEMBURG.

RUPPERT: *Le Grand-Duché de Luxembourg dans ses relations internationales*, 1892.

MEXICO.

Tratados y convenciones vigentes, 1909.

NETHERLANDS.

LAGEMANS: *Recueil des traités et conventions conclus par le royaume des Pays-Bas avec les puissances étrangères depuis 1813 jusqu'à nos jours*.

NORWAY.

Overenskomst med fremmede Stater.
Recueil des traités de la Norvège, Kristiania, 1907.

PARAGUAY.

Coleccion de tratados, 1895.

PERSIA.

MOTAMEN-OL-MOLK: *Recueil des traités de l'Empire persan avec les pays étrangers*, 1908.

PERU.

ARANDA: *Coleccion de tratados*, 1897.

PORTUGAL.

MM. BORGES DE CASTRO ET JUDICE BIKER: *Colecção dos tratados, convenções, contratos e actos publicos celebrados entre a Coroa de Portugal e as mais potentias.*

PRUSSIA.

ROHRSCHEID: *Preussens Staatsverträge*, 1852.

ROUMANIA.

M. T. G. DJUVARA: *Traités, conventions et arrangements internationaux de la Roumanie*, 1888.

M. BRAILEANU: *Conventions de la Roumanie avec les Etats étrangers concernant le commerce et les marques de fabrique*, 1899.

RUSSIA.

M. F. DE MARTENS: *Recueil des traités et conventions, etc., depuis l'année 1648.*

IWANOWSKY: *Recueil des traités en vigueur conclus par la Russie avec les puissances étrangères* (1889-90).

SALVADOR.

REYES: *Tratados del Salvador.*

SPAIN.

DEL CANTILLO: *Tratados de paz y de comercio, etc.* (1700-1843).

DE OLIVART: *Colección de tratados de España desde el reinado de Isabel II hasta nuestros días; Colección de los tratados de España durante los primeros años del reinado de D. Alfonso XIII* (1902-1904), 1911.

SWEDEN.

Sveriges tractater med främmande magter utgivne af RYDBERG, 1877.

SANDGREN: *Recueil des traités de la Suède* (Stockholm, 1910).

SWITZERLAND.

EICHMANN: *Handels-Niederlassungs und Konsularverträge der Schweiz*, 1885.

TURKEY.

DE TESTA: *Recueil des traités de la Porte ottomane, etc.,... depuis 1536* (1901).

M. NORADOUNGHIAN: *Recueil d'actes internationaux de l'Empire ottomane* (1897-1903).

UNITED STATES.

MALLOY: *Treaties, Conventions, International Acts, Protocols and Agreements between the United States and Other Powers*, 1776-1909.

Publication of English and American Decisions Involving International Law

The Director calls attention to a project which, if undertaken and successfully accomplished, will, in his opinion, do much to aid in the development of international law.

To develop international law, it is necessary to have an accurate knowledge of those principles which can be said to enter into and form an integral part of the present system of international law. This is as essential to systematic exposition as it is to codification. To know how international law may be

developed in the future, we must know how it has developed in the past, otherwise it will be impossible to give effect to this part of the Endowment's activity. Without here dwelling upon the importance of the Hague Conferences as a means of developing international law, the Director has proposed in another portion of this report the publication in convenient form of the various reports which accompany and explain the provisions of the Hague conventions, in order that the student and general reader may be able to interpret them in the light of their origin. He also calls attention to the efforts of the Division of International Law to aid the development of international law by collecting the provisions of the treaties of all countries of the world containing international agreements upon matters which, if universally assented to, would constitute international law. Again, inasmuch as national courts of justice are often called upon to decide cases according to the principles of international law, it has appeared to the Director of the Division and to the Executive Committee that it would be advisable to collect and publish, in a uniform series and in several languages, the judicial decisions of national courts interpreting and applying the principles of international law. This project looks to the future and contemplates only the publication of future decisions.

The particular project to which reference is made is the collection and publication in convenient form of decisions of English and American courts, in so far as they deal with questions of international law.

The refusal of Great Britain to ratify the Prize Court Convention, because by Article 7 thereof the judges would be authorized to decide "in accordance with the general principles of justice and equity," if no generally recognized rule of international law exists, shows beyond the possibility of successful contradiction the advisability of collecting and publishing decisions of courts on questions of international law, so that it may clearly appear by adjudged cases that such questions have often been passed upon by courts of justice in such a way that the decisions are in accordance with known and recognized principles of law, and that the law has been developed by judicial decisions and taken a form acceptable to governments as well as to individual litigants. It is felt that the preparation of such decisions will demonstrate that questions of an international nature can properly and satisfactorily be determined by courts of justice as principles of municipal law have been applied and developed by judicial decision, and at one and the same time show the process by which courts apply and develop international law.

It is especially desirable that English and American decisions be collected and published in convenient form, because the law of prize has been largely developed by a long series of judgments delivered by judges of the highest repute, such as Lord Stowell and his successors. In the United States, the Federal courts have passed upon prize cases, and the decisions of the Supreme Court, notably the judgments of Chief Justice Marshall and Mr. Justice Story, are cited as authorities abroad as well as at home. The decisions of the

American courts, in matters other than prize are, it is believed, more valuable and more numerous than the English cases, because treaties and conventions are regarded as the law of the land and controversies arising under them and depending upon their interpretation have repeatedly been decided by our courts. Again, the peculiar relation of the States to the Federal Government and the application of principles of international law in controversies to which they are parties or by which they are affected are, as shown by the reports of the Supreme Court, determined by the law of nations.

A memorandum from Professor Eugene Wambaugh, of the Harvard Law School, describing such a project, has been presented to the Director and, in order to show the field of international law already covered by judicial decisions, the value of such decisions and their rôle in developing international law, and to furnish models for judges of international courts to follow, it is recommended that the Division of International Law be authorized to enter into relations with Professor Eugene Wambaugh with a view of carrying out the project outlined by him.

Subventions to Journals of International Law

On October 26, 1911, the Executive Committee recommended to the Board of Trustees the appropriation of the sum of \$15,000 to be applied by the Committee to improve the character and to strengthen and increase the usefulness of journals of international law. The Board of Trustees, at their annual meeting in December, 1911, approved the recommendation and included the amount in the appropriation for the Division of International Law for the fiscal year ending June 30, 1913.

The Director immediately proceeded to ascertain, by correspondence and personal interview, the exact condition of certain journals falling within the class which it was intended to assist. The inquiries were directed toward discovering, first, those journals the quality and influence of which in the circle of international readers seemed to justify encouragement and support; secondly, the journals meeting the preceding requirements which could use with proper advantage additional financial resources; and, thirdly, the exact necessities in each particular case in order that the amount and purpose of the subvention could be so determined as to make the outlay the most effective.

The information received in response to the inquiries led the Director to recommend to the Executive Committee that subventions be granted to five journals, and to take under advisement and subject to further investigation the granting of subventions to two journals. The situation with respect to each of the seven journals is as follows:

REVUE DE DROIT INTERNATIONAL ET DE LÉGISLATION COMPARÉE.

Published at Brussels in the French language. The REVUE was founded in 1869, 43 years ago, by Messrs. Rolin-Jaequemins (one of the founders of the

Institute of International Law), T. M. C. Asser and John Westlake. It received much encouragement at the time of its establishment from Dr. Francis Lieber, the illustrious American and author of the famous "Instructions for the Government of the Armies of the United States in the Field." For many years it was the only journal of international law, and for a long time was the official organ of the Institute of International Law. The *REVUE* is published under the direction of

Mr. T. M. C. Asser, Minister of State of The Netherlands, member of the Permanent Court of Arbitration at The Hague, formerly professor in the University of Amsterdam, foundation member and formerly president of the Institute of International Law;

Mr. John Westlake, formerly professor in Cambridge University, honorary president of the Institute of International Law;

Mr. Ernest Nys, counsellor at the Court of Appeal of Brussels, professor in the University of Brussels, member of the Institute of International Law;

M. Paul Hymans, lawyer, professor in the University of Brussels, member of the Chamber of Representatives;

M. H. de Codt, Chief of Division of the Ministry of Justice of Belgium.

The editor-in-chief is M. Edouard Rolin, doctor of law, member of the Colonial Council of Brussels, member of the Institute of International Law, son of one of the founders of the *REVUE*. He is assisted by a corps of distinguished collaborators, representing Belgium, Bulgaria, France, Germany, Great Britain, Italy, Japan, Roumania, Russia, Spain, Sweden and the United States.

The *REVUE* is published every two months, and the subscription price is 18 francs (about \$3.50) per annum. Its size averages 115 pages for each number, divided into three departments, the first department being devoted to leading articles, the second to "notices" in the nature of signed editorial comments, and the third to book reviews.

Mr. Rolin furnishes office quarters and storage room in his own home, and any deficit which occurs is cheerfully borne by him as a personal expense. The resources of the *REVUE* permit the editor to spend not more than 1,200 francs (\$230.00) per annum for the remuneration of the collaborators and costs of translation, and 1,000 francs (\$193.00) per annum for general expenses, clerical services and compensation of an editorial secretary, who also attends to the business affairs.

It is the editor's opinion that the most effective way of strengthening and increasing the usefulness of the *REVUE* is to supply the means to enable it to offer adequate compensation to collaborators. He estimated that an allowance of 4,000 or 4,500 francs per year would enable the *REVUE* to offer proper compensation to writers and contributors, would give him a wider field for the choice of articles both in regard to subject matter and the distinction of the

authors, and at the same time enable him to provide for a sufficient amount of material to insure the regular appearance of the *REVUE*.

Mr. Rolin shares the enlightened views of the believers in the peaceable settlement of international disputes, and prints articles and literature favoring this point of view.

The Director recommended to the Executive Committee a subvention of 5,000 francs per year, and on May 25, 1912, the Committee allotted this sum for the year July 1, 1912, to June 30, 1913.

RIVISTA DI DIRITTO INTERNAZIONALE.

This is a quarterly, published at Rome in the Italian language, under the direction of D. Anzilotti, professor of international law in the University of Rome, associate member of the Institute of International Law, and A. Ricci Busatti, minister plenipotentiary of Italy. It was founded in 1906, and has appeared at irregular intervals since that date. Each issue contains approximately 200 pages, divided into the following departments: articles, chronicle and comment on international events, international judicial decisions with comments, national decisions relating to international law with comments, texts of international documents, book reviews and notes. The subscription price is 16 lire (about \$3.10) per annum.

The *RIVISTA* is an excellent journal and deserves to be continued, but it has been hampered by lack of finances, and its editors state that, in order to keep it going, they have been obliged to spend, from their private means, approximately 1,000 francs annually.

They welcomed the assistance offered by the Endowment, but preferred that it be given in the form of subscriptions instead of as a direct subvention. They estimated that a subscription for 100 copies would cover the expenses of publication, and they thought that this would be generous and sufficient help.

The Director recommended to the Executive Committee that the Endowment subscribe for 100 copies of the *RIVISTA* beginning with the issue of January, 1912, which started a new and improved volume. The Executive Committee approved the recommendation and on May 25 and June 26, 1912, allotted sufficient funds to purchase 100 copies of the *RIVISTA* from January 1, 1912, to June 30, 1913.

It was the desire of the editors of the *RIVISTA*, that while the subscriptions paid for by the Endowment, should, of course, be placed where they would do the most good, they be not placed where they would interfere with the legitimate field from which the *RIVISTA* might itself secure additional subscribers. Inasmuch as the purpose of the subvention is to aid and not to compete with the *RIVISTA*, this appeared a reasonable request and the Director of the Division requested the editors to suggest a list of persons and institutions to which the subscriptions purchased by the Endowment might be sent. They gladly consented to do this, and furnished a list made up, in the language of M. Anzilotti, on the following bases:

As you will see, the list includes individuals and societies, institutions, schools, etc. On two bases we selected the individual persons.

There are some who have contributed articles to the *RIVISTA*, or who while not having contributed as yet, have tacitly agreed to do so. Inasmuch as the *RIVISTA* is not in position to remunerate its collaborators, it seemed to us very appropriate, while at the same time meeting the objects to which you have given expression in your letters, in this way to enlist the good will and co-operation of professors, magistrates or diplomats, reckoned among the most active and authoritative in our country. Good results can be depended upon, for we have already received articles, reports, etc., which will appear in the next number of the *RIVISTA*; we hope that we have thereby insured a regular publication of interesting matter, although the contributions of these persons to whom we send complimentary copies of the *RIVISTA* is irregular.

Other names appearing in the list will receive the *RIVISTA* because of the influence which these persons may exercise upon international political activity, especially in our own country. It seemed to us useful and in harmony with the purposes of the Endowment to make it possible for them to keep posted on questions arising from the relations between the states and on the efforts made by this policy in regard to a better regulation of the principles involved.

Lastly, we have included in this list Italian societies and institutions, especially abroad, in order to enlist the interest in questions of international law, the largest possible number of individuals who are able to understand and appreciate that it is to the interest of all nations to adopt uniform rules in the relations between the states.

The subscriptions were accordingly ordered and the numbers for 1912 have already been distributed. The following circular letter of explanation was sent by the editors to each person and institution receiving the *RIVISTA* with the compliments of the Endowment:

You are, no doubt, informed that, among the means resorted to by the Endowment constituted by the munificent liberality of Andrew Carnegie (Carnegie Endowment for International Peace), for the development of international law, and the acceptance by the states of a uniform system of its principles, there is included that of supporting the circulation and diffusion of publications which will usefully and efficiently serve that purpose.

The Trustees of the Endowment have done us the honor of selecting from among the Italian publications our *RIVISTA*, inviting us to designate to them persons and institutions to which, by the help they give to the studies in international law, or the influence they exercise in a practical way, the *RIVISTA* might be sent with their gracious homage. We have gladly welcomed such a worthy and authorized contribution to the perfection of the program which the *RIVISTA* has pursued from its origin; and we trust that you may accept this homage and approve of the noble purpose which has prompted it.

It is evident from the foregoing that the small amount (\$320.00 per annum) granted by the Endowment to the *RIVISTA DI DIRITTO INTERNAZIONALE* has been well spent.

THE JAPANESE REVIEW OF INTERNATIONAL LAW.

(Revue de Droit International.)

This is a magazine published in the Japanese language in Tokio, Japan. Its publication was begun in February, 1902, by the Japanese Association of International Law, founded in 1897 by the late Marquis Komura and Viscount Kaneko. It appears every month in the year except July and August, and has continued to the present time. The subscription price is 2 yen (\$1.00) per annum. The contents of the review are divided into four sections; reports of scientific researches; materials of learning of the West, introduced with the purpose of furthering scientific investigations in the East; new treaties and other documents; current diplomatic events of the world.

The review is published under the direction of the following eminent Japanese:

- Mr. M. Akiyama, counsellor to the Ministry of War;
- Mr. N. Ariga, professor in the superior school of war, and in the superior school of marine;
- Mr. H. Nagaoka, secretary of embassy;
- Mr. S. Nakamura, professor in the superior school of commerce;
- Mr. S. Tachi, professor in the University of Tokio;
- Mr. T. Terao, professor in the University of Tokio, associate member of the Institute of International Law;
- Mr. S. Yamada, professor in the University of Tokio.

Mr. Sakuyé Takahaski, professor in the University of Tokio, and associate member of the Institute of International Law, is the editor-in-chief. He is assisted by a number of Japanese authorities on international law in the University of Tokio, the ministries of Foreign Affairs, Justice and Marine, the legal profession and diplomatic service.

The proposal to offer a subvention to the Japanese Journal of International Law was one involving great delicacy, and it was with a great deal of pleasure, therefore, that the Director learned after several months' negotiation, that a subvention from the Carnegie Endowment would be acceptable to the Japanese Society of International Law.

One thousand copies of each issue of the magazine are printed, of which 250 are retained by the Society and the remaining 750 distributed as follows:

Distributed among members of the Society....	150
Distributed gratis among societies, etc.....	200
Sold to the general public.....	400
	<hr/>
	750

The yearly income consists of:

Membership fees	yen	375.00	
Proceeds of the sale of the magazine..	"	600.00	
		—	yen 975

The expenses of running the magazine are:

Printing and editing.....	yen	1200.00	
Advertising	"	300.00	
Mailing	"	60.00	
		—	
Total expenses	yen	1560.00	yen 1560.00
Excess of expenses over income..		" 585	
		—	—
		yen 1560	yen 1560.00

The deficit is borne by the gentlemen interested in the magazine, who desire to keep it going even at their personal expense. The editors of the journal have, of course, under the circumstances, been unable to offer any compensation to contributors, and this fact appears to have been the drawback to the success of the journal, because of the difficulty in securing sufficient material of the proper character for the monthly issues. It was suggested to the Director that an allowance of 200 yen for each of the ten months in which the review is issued would enable the editors to meet this difficulty and provide the proper material. It was also suggested that a grant of an amount sufficient to cover the annual deficit, namely, 585 yen, would be acceptable. In conveying to the Director the willingness of the Society to accept a subvention, it was stated:

If there were this much subvention coming from you, it is expected that the circulation will easily reach 2,000 copies. Furthermore, if the burden of yen 585 per annum is taken off from the shoulders of the professors, these good men propose to hold conferences and public lectures on International Law. Such lectures may either be free, or only small, nominal fees may be collected with a view to exclude nondescript audiences. In either case this is an undertaking which will cost the professors not only time and energy, but also money out of pocket. They willingly propose to stand such expense, if the subvention for the magazine is coming.

Accordingly, a recommendation was made to the Executive Committee that a subvention sufficient to cover the amounts above suggested, namely, \$1,300 per annum, be granted. The Executive Committee approved the recommendation on May 25, and allotted the amount for the fiscal year ending June 30, 1913.

The subvention was accepted by acclamation at an extraordinary general meeting of the Society, held on July 5th, at which meeting a resolution was passed expressing "the sincere thanks of this Society for the gift and its high

appreciation of the magnanimous spirit which has actuated the Executive Committee of the Endowment in offering a subvention to a Journal of International Law published in this far distant land."

It is gratifying to note that the subvention was highly pleasing to the eminent Japanese authorities who compose the Japanese Society of International Law, for they decided immediately to change the scope and name of the Journal, as appears from the following interesting quotation from a letter of the Secretary-General of the Society informing the Endowment of the acceptance of the subvention:

You will doubtless be interested to know that at the General Meeting above referred to, one of the fundamental principles of the Endowment which was enunciated by the Executive Committee early in 1911 in the following words did not escape our attention:

"That the one direction in which the general work for peace needs strengthening is that in which the sentiment for peace comes into immediate contact with the difficulties and concrete problems of practical international affairs. To reconcile the two requires knowledge of the practical side of international life."

Taking note of this proposition the wisdom of which is fully recognized, we have decided to make the name of our Journal conform more precisely with its contents by calling it hereafter "The Journal of International Law and Diplomacy." It is our intention to direct our special attention to the practical side of international life.

Heretofore the review had been devoted merely to the theoretical discussion of international law.

It is unnecessary to dwell upon the great potentiality of this subvention for real good in the international relations of Japan and the United States. In the language of a Japanese publicist, the Endowment has "forged another strong link in the chain that unites my countrymen with yours in intellectual intercourse. Indeed, the moral effect of what you have accomplished cannot be measured in values of money. I offer you not only my grateful acknowledgment but my sincere felicitations."

Since the drafting of this report the Director has received the following formal announcement by the Japanese Society of International Law of the use which it proposes to make of the subvention granted to the Japanese Journal.

THE ONLY JOURNAL OF INTERNATIONAL LAW PUBLISHED IN THE ORIENT WHICH HAS BEEN DEEMED WORTHY OF INTERNATIONAL RECOGNITION.

The Carnegie Endowment for International Peace, which has as one of its objects the popularization of international law and the extension of practical knowledge of international affairs, has recognized this Journal as the only publication of the kind in the Orient worthy of its subvention.

As the result of such subvention received from the Endowment we are now able to announce a great improvement in the contents of the Journal and at the same time a reduction in its price. In its column of "Diplomacy" international affairs will be reported and discussed by great writers according to the following geographical division:

The Levant	Professor Dr. Tachi.
China	Dr. Terao.
Europe	Professor Hayashi of the Keio University.
North and South America.....	Professor Dr. Takahashi and Mr. Kawasaki.

Contents of the November Issue.

On the Change of the Name of the Journal.....	Professor Dr. Takahashi.
The Emperor Meiji and International Law.....	Dr. Ariga.
Trawlers and Submarine Telegraph Cables, Mr. Yoneda, Secretary in the Department of Communication.	
Education of Hindoos.....	Mr. Ibukiyama.
International Convention for Wireless Telegraphy, Mr. Watanabe, Secretary in the Department of Communication.	
The Bagdad Railway	Prof. Dr. Tachi.
European Diplomacy—The Balkan Question.....	Professor Hayashi.
Recent Developments in the Balkan Peninsula.....	Dr. Yoneda.
American Affairs—The Panama Canal.....	Mr. Kawasaki.

SPANISH EDITION OF THE AMERICAN JOURNAL OF INTERNATIONAL LAW.

The AMERICAN JOURNAL OF INTERNATIONAL LAW is the official publication of the American Society of International Law. It is the only journal printed in English which is devoted to the subject of international law. The Society was founded in 1906, to foster the study of international law and to promote the establishment of international relations on the basis of law and justice. The JOURNAL was started in January, 1907, and has been issued quarterly ever since. It is a well-printed, nicely-appearing magazine. Each number averages about 250 pages, divided into the following departments:

1. Leading articles. The most eminent authorities of international law in the United States, Europe and Latin America are contributors to this department, and the articles cover almost the entire field of international law, and the discussion of important international events.

2. Editorial comment. The Director of the Division of International Law of the Endowment is honored with the position of editor-in-chief of the JOURNAL, and has as his associates a Board of Editors composed of the following gentlemen:

Honorable Chandler P. Anderson, counsellor for the Department of State;
 Professor Charles Noble Gregory, dean of the department of law, George Washington University;
 Professor Amos S. Hershey, professor of international law in the University of Indiana;
 Professor Charles Cheney Hyde, of Chicago University;
 Professor George W. Kirchwey, of Columbia University;
 Mr. Robert Lansing, legal counsellor and representative of the United States in many important international arbitrations;
 Professor John Bassett Moore, professor of international law, Columbia University;
 Professor George G. Wilson, professor of international law, Harvard University.
 Professor Theodore S. Woolsey, professor of international law, Yale University.

3. A chronicle of international events. As the name indicates, this is a chronological enumeration of events of international interest. Under each event, a brief paragraph is added giving available information concerning the event, with references. This chronicle is highly useful to any person who has to deal with international affairs.

4. A list of public documents relating to international law.

5. Judicial decisions involving questions of international law. In this department are printed the texts of international awards and the decisions of national courts whose importance warrant publication.

6. Book reviews and notes.

7. A list of periodical literature of international law.

In addition, there is also issued with each number of the *JOURNAL*, a supplement of approximately 100 pages in which are printed the texts of important documents of an international character. The supplement has already assumed an indispensable place in the library of every well-equipped internationalist, for in it are gathered together and printed for ready reference the important treaties, conventions and laws of the different countries of the world.

The American Society of International Law, the publisher of the *JOURNAL*, has about 1,000 members, who pay annual dues of \$5.00. In addition, there are about 400 subscribers, not members of the Society, who also pay \$5.00 per year. The Society, therefore, has sufficient funds to defray the expenses of publishing the *JOURNAL*, and no subvention is asked or sought by it.

It was long desired, however, by the officers and members of the Society, to extend the field of usefulness of the *JOURNAL* to the countries of Latin America, and this could only be done by publishing a Spanish edition. The expense of such an edition was too great to allow the Society to undertake it, and when the Endowment inquired as to the best way of increasing the usefulness of the *AMERICAN JOURNAL OF INTERNATIONAL LAW*, it was suggested that the Endowment undertake to finance the Spanish edition.

Inquiries were made as to the cost of translations, printing, postage, stationery and miscellaneous items, and it was ascertained that a Spanish edition of 1,000 copies of each number of the *AMERICAN JOURNAL OF INTERNATIONAL LAW*, and the annual proceedings of the American Society of International Law, could be undertaken at an annual expenditure of \$8,500. The proposition was submitted to the Executive Committee of the Endowment on January 27, 1912, and the Committee authorized arrangements to be made with the American Society of International Law to start the Spanish edition beginning with the January, 1912, issue of the *JOURNAL*, which number started the volume for that year. Inasmuch as the appropriation for granting subventions to journals of international law was not available until July 1, 1912, the necessary funds to pay for the edition from January 1, to June 30, 1912, were allotted from the emergency appropriation. The allotment was continued from the regular appropriation for the fiscal year ending June 30, 1913, at the meeting of the Executive Committee of June 26, 1912.

The proposal, in the following terms, was submitted to the Executive Committee of the American Society of International Law, in a letter from the Secretary and Director of the Division of International Law of the Endowment, dated April 6, 1912.

1. The American Society of International Law agrees to publish a Spanish edition of the American Journal of International Law and of the printed volume of Annual Proceedings of the American Society of International Law.

2. The Carnegie Endowment for International Peace agrees to defray the expenses of issuing the Spanish edition of the Journal and Proceedings, and of circulating the same by the Society in Spanish-speaking countries, except in so far as the proceeds referred to in clause three following may contribute toward said expenses.

3. The proceeds received by the Society on account of the issue of the Spanish edition of the Journal and Proceedings shall be kept separate and applied toward the annual cost of the issue of said edition.

On the same date, the Executive Committee of the Society held a meeting at which they accepted the Endowment's proposal by the following resolution:

Resolved, That the proposal of the Carnegie Endowment for International Peace with reference to the issue of a Spanish edition of the American Journal of International Law and Annual Proceedings of the American Society of International Law, made in their letter of April 6, 1912, be accepted, and that the Editor-in-Chief and Business-Manager be authorized to proceed with the Spanish edition beginning with January, 1912, number of the Journal.

Accordingly, arrangements were made for the issue of the Spanish edition, under the title *Revista Americana de Derecho Internacional*, and approximately 1,500 copies of the January, April and July numbers have been distributed throughout Latin America, principally to the foreign offices, members of the diplomatic and consular services, libraries, professors of international law and newspaper editors. An explanatory circular letter has also been printed in Spanish and distributed generally throughout Latin America.

The issue has met with enthusiastic reception. The Governments of Argentina, Colombia, Guatemala, Salvador and Venezuela have officially ordered the JOURNAL; prominent officials in the ministries of foreign affairs of Bolivia, Mexico and Venezuela have personally subscribed, and a number of members of the diplomatic services of Bolivia, Brazil, Cuba, Nicaragua, Panama, Peru, Santo Domingo, Venezuela and Uruguay have also sent in their subscriptions. Besides the foregoing, a number of lawyers, professors, libraries, and other institutions and private persons residing in different parts of Latin America, have shown by their eagerness to subscribe that there is a large field of usefulness for the Spanish edition of the JOURNAL.

In order further to promote the widespread reading of the JOURNAL,

and at the same time to promote the popularization of the study of international law, arrangements have been made to supply the Spanish edition at a reduced rate to societies of international law in Latin America having a membership of not less than 25 members. This offer has already produced results, for steps have been taken by prominent authorities in Mexico to organize a Mexican society of international law.

It is believed that the cause of Pan-Americanism will derive incalculable profit by the circulation of the *AMERICAN JOURNAL OF INTERNATIONAL LAW* throughout the 21 republics of America. For the first time, an organ has been established, printed in the languages common to the countries of the Western Hemisphere, through the columns of which there may be an interchange of the views of the leaders of thought in international law and diplomatic relations, from which there should result a clear and sympathetic understanding of the international problems which confront them. The *JOURNAL* has in five years assumed a place of leadership in the field of international law, and the printing of the Spanish edition of it by the Endowment will extend its usefulness to countries where it is much needed.

REVUE GÉNÉRALE DE DROIT INTERNATIONAL PUBLIC.

This is a French journal, founded at Paris in 1893, by A. Pillet, professor in the University of Paris, member of the Institute of International Law, and Paul Fauchille, Doctor of Law and member of the Institute of International Law. The *REVUE* is published every two months, and each issue comprises some 150 pages of printed matter divided into leading articles, chronicle of international events with comments thereon, book reviews and notes, and an appendix of official documents. The *REVUE* is published and edited by Mr. Paul Fauchille, under the patronage of the following distinguished Frenchmen:

E. Clunet, advocate at the Court of Appeal, Paris; member and formerly president of the Institute of International Law;

G. Hanotaux, member of the French Academy, formerly Minister of Foreign Affairs of France;

C. Lyon-Caen, member of the Institute of International Law, professor in the University of Paris;

L. Renault, member and formerly president of the Institute of International Law; jurisconsult in the Ministry of Foreign Affairs of France; member of the Permanent Court of Arbitration; professor in the University of Paris;

Baron E. Descamps, Minister of State of Belgium;

H. Lammasch, member of the House of Peers of the Austrian Parliament; professor of law in the University of Vienna; member of the Permanent Court of Arbitration;

A. Merignhac, professor of international law in the University of Toulouse; associate member of the Institute of International Law.

E. Rouard de Card, professor in the University of Toulouse;

Gaston Griolet, doctor of law, Paris.

E. Lehr, permanent honorary secretary of the Institute of International Law;

A. Pillet, professor in the University of Paris; member of the Institute of International Law;

A. Weiss, professor in the University of Paris; formerly vice-president of the Institute of International Law.

The REVUE is printed by one of the leading publishers of Paris, Mr. A. Pedone, who bears the expense of the undertaking. This fact at first led the Director to doubt the wisdom of granting financial assistance, for, if the REVUE was already on a sound financial basis because of the backing of a reliable publisher, it was thought that any assistance from the Endowment would tend merely to swell his profits. The recommendation concerning this REVUE was therefore withheld until the Director could ascertain more precisely its exact status.

Opportunity for looking into the affairs of the REVUE was afforded last summer, on the occasion of the visit of the Director to Europe in connection with the meeting of the Institute of International Law and other business of the Endowment. In a personal interview with Mr. Fauchille, the editor, it was ascertained that the REVUE is published at a loss by Mr. Pedone, who might decide at any time to drop the undertaking, and that the grant of a sum to remunerate collaborators sufficient to meet the annual deficit, about \$500.00, would insure the continuance of the publication. The matter was also discussed informally by the Director with the members of the Consultative Committee of the Institute of International Law, who expressed the opinion that it was not only desirable to remove the danger of the discontinuance of the publication due to its unprofitableness from a financial standpoint, but that Mr. Fauchille, the editor, who has labored long and hard for the REVUE and is responsible for its scientific success, should receive acknowledgment for what he has done in the past for the cause of international law and encouragement for the continuance of his work in the future, in the shape of a personal honorarium.

As the result of these inquiries, the Director came to the conclusion that this journal required and was entitled to assistance from the Endowment in the manner and for the purpose suggested by Mr. Fauchille and the members of the Consultative Committee of the Institute of International Law. He therefore, on October 3, 1912, recommended to the Executive Committee the allotment of the sum of \$1,500 as a subvention to strengthen and increase the usefulness of the REVUE DE DROIT INTERNATIONAL PUBLIC, for the fiscal year ending June 30, 1913, \$1,000 of said sum to be retained by Mr. Fauchille as an honorarium, and the remaining \$500.00 to be paid to the publisher for the purpose of remunerating the collaborators for their services.

A GERMAN JOURNAL OF INTERNATIONAL LAW.

Of the important countries of the world where the spread of the knowledge of the principles of international law would be of inestimable service, Germany

is the most prominent example, but it is a lamentable fact that there is not a single chair devoted solely to international law in the whole Empire, and no journal devoted solely to the subject of international law. Any scheme for spreading a knowledge of the principles of international law which omitted provision for popularizing and arousing interest in the subject in Germany would be most inadequate.

At the present time there appear to be two periodicals printed in Germany, namely, the *Zeitschrift für Internationales Recht*, of which Dr. Theodor Niemeyer, professor of international law in the University of Kiel, is editor and proprietor; and the *Zeitschrift für Völkerrecht und Bundesstaatsrecht*, edited by Professor Joseph Kohler of Berlin, Dr. Oppenheim of Cambridge, and Dr. Holl-dack of Leipzig.

The first periodical mentioned, namely the *Zeitschrift für Internationales Recht*, was established in 1890, and Professor Niemeyer has as editor issued the last thirteen of the twenty-two volumes which have been published to date. It aims to cover the field of private as well as of public international law, and many of its articles are exceedingly valuable to students of both these subjects. Without giving a summary of the table of contents of the publication as a whole or of any single volume, and without mentioning individual articles, it may be said, as indicating the liberal views of the editor that Professor Nippold's admirable and elaborate account of the Second Hague Peace Conference originally appeared in this journal. The Director understands that Professor Niemeyer is financially responsible for the costs necessarily incurred in its publication, but no recommendation is made at this time, as before coming to any conclusion the Director would need to enter into correspondence with Professor Niemeyer and his publishers in order to see whether a recommendation should properly be made.

The second periodical, the *Zeitschrift für Völkerrecht und Bundesstaatsrecht*, established in 1907, is a small magazine published six times a year and having about 150 subscribers. Needless to say, it is published at considerable financial loss, and the expense is borne by the publishers and the principal editor, Dr. Kohler. The journal is not devoted entirely to international law, but also deals with constitutional law, which latter is outside the scope of this Endowment. The journal also uses the French and English languages in addition to the German, thus potentially at least making it a competitor with the journals of international law printed in the French and English languages. It should be the aim of the Endowment in apportioning its financial assistance so as to cover the German field, to encourage a journal devoted solely to international law with especial reference to the German-speaking countries. The Director could not, therefore, recommend a subvention to the *Zeitschrift* unless the management were radically changed so that the journal would devote itself primarily to international law and confine its publication to the German language.

Professor Niemeyer and Dr. Karl Strupp, have recently announced the pub-

lication of a *Jahrbuch des Völkerrechts* (Year Book of International Law), which will aim to gather within the compass of a single volume of approximately 750 pages articles and comments dealing with the international movement of each year, in so far as it concerns international law. This undertaking will not supersede the journals, but will supplement them. The publication is to be divided into several parts. The first part is to be devoted to the history of international law and will consist of articles devoted to the most important international questions of the year, reports of international relations of the various states, and an account of conferences and congresses held during the year covered by the volume. The second part, entitled "Literature," will contain comments and book reviews. The third part will deal with the negotiation, ratification and extinction of treaties. The fourth part will be made up of important international documents. The fifth and concluding part, headed "Miscellaneous," will contain in its first volume accounts of the following subjects, some of which have a peculiar interest to the Carnegie Endowment: (a) The American Institute of International Law; (b) The Carnegie Endowment for International Peace; (c) Preparations for the Third Hague Peace Conference; (d) The Hague Academy; (e) The Development of Aerial Law. Messrs. Niemeyer and Strupp do not ask for financial assistance, and the proposed year book is merely mentioned in order to render clear the German situation, in so far as it affects international law and journals established for its development and dissemination.

While the Director was investigating the standing of the *Zeitschrift für Völkerrecht und Bundesstaatsrecht* and the advisability of aiding it either by direct subvention or by subscriptions for a certain number of copies, it was learned that prominent international lawyers of Germany, Austria and Switzerland are engaged in establishing a German journal of international law, intended primarily for circulation in the German-speaking countries; namely, Germany, Austria and Switzerland. He believes, however, that the question of a subvention to a proposed journal of international law should be held in abeyance for the present. It would be unwise to aid any one journal at the expense of another, and it would be the part of wisdom to bring about a coöperation between the journals rather than to create a new review which would necessarily compete with those already in existence. An arrangement may be reached by which the two existing journals may be merged in the proposed new journal, which should deal primarily, if not exclusively, with public international law. It is understood that negotiations toward this end are in progress. The Director is strongly of the opinion that the cause of international law in German-speaking countries would be much advanced if a single journal existed which could be regarded as the authoritative organ of German publicists and professors of international law and that the creation of a new journal which would compete with existing reviews is inadvisable.

THE REVISTA DE DERECHO INTERNACIONAL Y POLITICA EXTERIOR.

This is a review of international law and foreign politics, founded by the Marquis de Olivart of Madrid, Spain, seven years ago as his personal and pri-

vate undertaking. It is the only original periodical which has appeared in Spanish dealing with public and private law and diplomatic international questions. In addition to articles falling within the scope of the REVISTA, Marquis de Olivart has also published in connection therewith the treaties of Spain from 1902 to 1910, and has republished serially in the REVISTA some ancient works which it is almost impossible to obtain.

The venture has proven far from successful, for in seven years only a small number of subscribers have been obtained, and the annual income is less than one-fourth of the expenses, the deficit being borne by the proprietor and editor.

While a great amount of credit and praise is due to the proprietor of the REVISTA for his perseverance and sacrifices in endeavoring to make the REVISTA a success, the Director feels, with regret, that the results accomplished do not justify a belief that the support of the Endowment will accomplish any appreciable amount of good.

It is believed that the apparent lack of interest in the REVISTA is probably due to the fact that it is a personal enterprise, and not the work of a society or collection of individuals. It is not believed that it should be the policy of the Endowment to guarantee individuals from loss in a personal venture, and even should it do so in this case, it is not seen how the REVISTA can be improved unless more persons are interested in it, which would involve an entire remaking of the magazine.

And this brings up a view of the matter which leads the Director to believe that it would not be advisable for the Endowment to incur any obligation in connection with the REVISTA. While it is the only original journal of international law printed in the Spanish language, the fact that it is printed in Spanish has, no doubt, been one of the principal reasons why it has not attained a larger circulation, because its field is limited to a single European country in which it has probably already attained its maximum circulation. Its hope of increased usefulness would lie in Latin America, and it is in these countries that the Endowment would have to send any copies for which it might subscribe. It is believed that the field of Latin America offers greater possibilities for, and can be more appropriately covered by, the Spanish edition of the AMERICAN JOURNAL OF INTERNATIONAL LAW.

Recueil des Arbitrages Internationaux

At the meeting of the Executive Committee on January 27, 1912, the Committee authorized the purchase of one hundred copies of the *Recueil des Arbitrages Internationaux*, edited by Messrs. de Lapradelle and Politis, professors of international law at the University of Paris, and at the meeting of the Executive Committee on October 3, 1912, the Committee authorized the purchase of one hundred copies of the second volume of the work, which is announced to appear in 1912.

The work in question is a collection, in French, of all arbitrations from the date of Jay's treaty (1794), with a careful and detailed account of the diplomatic negotiations preceding the submission to arbitration, the proceedings of arbitral tribunals, and each decision is followed by a doctrinal note setting forth the value and importance of the decision and explaining its relation to international law practice and procedure.

The first volume includes the arbitrations which have occurred from 1794 until 1854. The second volume those from the latter date to the year 1872, terminating with the Geneva Award. While the *Recueil* is edited by Professors de Lapradelle and Politis, and while many of the doctrinal notes are supplied by them, they have interested many of the most distinguished publicists of foreign countries, who have contributed signed doctrinal notes of the greatest value. For example, the elaborate note on the Geneva Award is from the pen of the distinguished French publicist, M. Louis Renault. The Committee considered the distribution of this work as not only desirable because it would increase its circulation and usefulness, but because the purchase of a number of copies would encourage the editors in their highly useful undertaking, which is, however, not a source of pecuniary profit to the editors or the publisher.

The Director has entered into communication with the editors and publisher, in order to ascertain what institutions have purchased the work, so as to determine the proper distribution of the hundred copies subscribed for by the Endowment.

Exchange Professors of International Law

Among the recommendations of the Consultative Committee of the Institute of International Law is one approving the exchange of professors of international law and diplomacy between various countries, the propriety of which was such that it was unanimously adopted by the committee. The advantages to be derived from the exchange of professors of international law and diplomacy must be as evident to the Executive Committee as to the Consultative Committee. It is a truism that international law is by its very nature universal and that there can be no international law of any particular country. It is unfortunately also a truism that international law, however universal, is nevertheless expounded by writers who are either consciously or unconsciously affected by the real or supposed interest of their respective countries to such an extent that it is not perhaps too paradoxical to maintain that we have nationalized international law. This statement needs no authorities, and it must be the result of the observation and experience of those who have given some little thought and attention to the subject and have examined various treatises of international law. Nevertheless, a quotation from one who is himself remarkably free from the charge, may be permitted. Thus, Professor Oppenheim says:

It is to be deplored that many writers on the law of war and neutrality should take every opportunity of explaining their political sympathies and antipathies, and should confound their own ideas of justice, humanity and morality with the universally recognized rules of warfare and neutrality. French books have contained denunciation of the Germans and the English. English books—Hall's classical treatise furnishes at once an illustration and a warning—frequently condemn the Germans and the Russians, and the Germans on many occasions retaliate by condemning the French and the English.

Without arguing a question which cannot possibly be made clearer by argument, the Director suggests that a beginning be made to carry out the recommendation of the Consultative Committee in the matter of exchange of professors of international law. In order to test the feasibility of the plan, it would be well to make the experiment—if experiment it can be called—in the United States, by inviting a distinguished publicist, who is not only theoretically qualified, but seasoned by years of practical experience, to deliver a short course of lectures before American universities on phases of international law, dealing with the principles of law involved in international organization. At the same time the professor should be given an opportunity to meet non-university audiences and classes, so that he might carry home with him a proper idea of public opinion on these matters in the United States.

Collection and Publication of Documents of the First and Second Peace Conferences, Including the Reports Explaining and Interpreting the Texts Actually Adopted

Notwithstanding the fact that the conventions and declarations of the Hague Conferences are accessible to the public in convenient form, it is nevertheless a fact that their provisions are difficult of comprehension unless they are accompanied by the reports which explain the provisions and justify the action taken. As a striking example of the difficulty of comprehending a text, often the result of conciliation and compromise, the Declaration of London may be cited, which, it is submitted, cannot be properly understood without a careful reading of the report of M. Renault.

It is therefore recommended that a work be prepared dealing with each Conference, which shall include not only the texts as actually adopted, but that each text be accompanied by the official report presented to the Conference and upon which the Conference adopted the texts in question.

It is suggested that the preparation of such a work be included in the list of works to be undertaken by the Division of International Law.

Project of Sir John Macdonell

Sir John Macdonell laid before the meeting of the Consultative Committee, at its session of September 2, 1912, the following project:

A collection of the most important treaties since the Peace of Westphalia; notes and critical examination of the text of such treaties, to be based upon information obtained from the archives of the states; a political history both of the form and of the content. The work would consist of two volumes: the first an introduction; the second the text of the treaties. The project is very different from Strupp's, Fleischmann's, or Whittuck's work.

The Consultative Committee was favorably impressed by the project and considered that the preparation of works of this kind should be encouraged and the expenses of publication met, if need be. For this reason the committee, considering Sir John Macdonell's project and others of a similar nature which might be presented, recommended:

Encouragement, by means of subventions, of the publication of works or of collections dealing with international law, which, notwithstanding their evident scientific interest are not, by reason of their limited commercial market of interest to publishers.

The Director of the Division therefore recommends that this work of Sir John Macdonell be undertaken as part of projects approved by the Consultative Committee, and that the expenses to be incurred in its preparation and publication be defrayed from the appropriation made for this purpose.

Publication in English of "Il Diritto Internazionale Codificato"

In a letter dated April 22, 1912, addressed to the Secretary, the distinguished Italian publicist, Pasquale Fiore, professor of international law at the University of Naples and senator of Italy, requested the Carnegie Endowment to guarantee the expenses of translation and publication of his *Diritto Internazionale Codificato*, which appeared in its fourth edition in 1909. He stated that all his works on international law had been translated into French and Spanish, and that he would gladly bear the expense of translating this work into English and of its publication, if he were able to do so. As this was impossible, he said he would renounce any sums to which he might be entitled under the copyright, provided the Endowment would guarantee to a publisher the cost of translation and publication. If this proposition were accepted, the profits of the sales of the work would go to pay the cost of translation and publication, and the obligation of the Endowment would consist in the difference between the cost of the undertaking and the receipts from the sale of the volume.

The work in question is a volume of 940 pages, consisting of 704 pages of

text and an appendix of 175 pages of important treaties from the year 1525 to 1908. The text itself is a treatise on international law expressed in the form of a code. The translation would place before the English reader the matured views of a writer on international law, whose works have been translated into French and Spanish, and which are constantly referred to as authorities by writers and practitioners. The codification of international law is recommended by writers and scientific bodies, and it is believed that the publication in English of a successful exposition of international law in the form of a code would be of no inconsiderable service to the partisans of codification. The Director therefore recommends the translation and publication of this work.

Das Werk vom Haag

(The Work of the Hague Conferences)

Through the enterprise and devotion of Dr. Walther Schücking, professor at the University of Marburg, the German publishing house of Duncker & Humblot has begun to issue a series of volumes under the general title *Das Werk vom Haag*, which may be rendered in English as "The Work of the Hague Conferences." The series is intended to make known the results of the First and Second Hague Conferences by publishing a series of monographs dealing with the declarations, conventions and recommendations, as well as the problems of the Conferences, so that the attention of students and scholars in Germany may be called to the Conferences and furnished with the account, commentary and criticism so essential for their correct understanding. It is intended that the series will be continuous, though not periodic, in the sense that from time to time volumes will be issued dealing with phases of the question, and that the work of the Third Conference will be treated in the same way.

Professor Schücking has secured the coöperation of the following well-known publicists: von Bar, Fleischmann, Kohler, Lammasch, von Liszt, Meurer, Niemeyer, Nippold, von Ullmann and Wehberg. The first volume, written by Professor Schücking himself in an easy and attractive, yet thoroughly scientific style, was published in the spring of 1912, and entitled *Der Staatenverband der Haager Konferenzen*, which may be rendered into English as "The Union created by The Hague Conferences." The second volume (published likewise in 1912) by Dr. Hans Wehberg, a brilliant young publicist, whose work on the immunity of private property has been translated into English, is entitled *Das Problem eines internationalen Staatengerichtshofes*, that is to say "The Problem of an International Court of Justice." This work—a volume of 238 pages—is, in the opinion of the Director, the most careful and thoughtful study of any considerable length which has recently been written on this subject, and is a distinct credit to German scholarship and a convincing argument for the establishment of an international court. A French translation of this remarkable work would still greater increase its usefulness, and it well deserves the honor.

A third volume of the series is in preparation, namely, a careful and accurate account of the cases which have been tried by temporary tribunals formed from the Permanent Court, during the ten years of its existence. The various cases will be treated by specialists, not by any one writer, and the judgments of the court will be examined in the light of international law, just as decisions of national courts are tested by the principles of municipal law. It is hoped that this work will be published in the year 1913, and it is to be offered as the homage of German scholarship to the dedication of the Peace Palace at The Hague.

The series as a whole comes within the following recommendation of the Consultative Committee: "Encouragement by means of subventions of the publication of works or collections dealing with international law, which notwithstanding their evident scientific interest are not, by reason of their limited circulation, calculated to interest publishers."

It is understood that the general editor has bound himself to the publisher to make good the excess of cost over sales within two years after publication.

In the interest of the Hague Conference in general and of German speaking peoples in particular, it is highly desirable that this series be encouraged, which it may be in one or both of two ways: either by purchasing and circulating a sufficient number of copies to cover the expenses of the volumes, or by advancing a certain sum of money to the publishers to meet the loss, which they may have sustained by lack of sale or circulation of the volumes as they appear. It is believed that the first plan is the better in principle and more likely to accomplish the purposes of the Endowment. Local conditions may, however, render the second desirable.

Proceedings of the American Society for the Judicial Settlement of International Disputes

Upon the recommendation of the Director, the Executive Committee on May 25, 1912, authorized the purchase of not exceeding 1,000 copies of the report of the Proceedings of the American Society for the Judicial Settlement of International Disputes in December, 1910, for distribution to the correspondents of the Endowment and its constituent organizations, and to such other persons as the Director deemed expedient.

The volume referred to contains the addresses delivered at the first international conference of the Society, organized in 1910 for the purpose of promoting the judicial determination, as distinguished from the arbitral adjustment, of international controversies.

Among the speakers at the Conference were the President of the United States, two ex-Secretaries of State, the presidents of three leading American universities and the president-emeritus of another, a former governor of Virginia, the governor-elect of Connecticut, former distinguished members of the diplomatic service, the heads of three important foreign legations at Washington, high officers of the Army and Navy, members of the judiciary of the United States and Canada, present and former members of Congress, and several of the foremost

men in American industry and commerce and the legal profession. The remarks of these eminent speakers covered exhaustively a wide range of topics, including the judicial settlement of international disputes, an International Permanent Court, various phases of war, the present Permanent Court of Arbitration at The Hague, the Court of Arbitral Justice, arbitration, etc.

Only 800 copies of this report were available and they were purchased and distributed as follows:

Members of the Institute of International Law,
Members of the Permanent Court of Arbitration at The Hague,
Members of the Second Hague Conference,
Members of the Fourth Pan American Conference,
Members of the Central American Court of Justice,
Members of the Advisory Council of the Division of Intercourse and Education in Europe,
The European Secretariat of the Division of Intercourse and Education,
The correspondents of the European Secretariat,
The Special Correspondents of the Division of Intercourse and Education,
The International Permanent Bureau at Berne,
Members of the Committee of Research of the Division of Economics and History,

A selected list of professors of international law.

A large number of acknowledgments have been received from the recipients of the Proceedings, in which they express high appreciation of the volume and of its great value as a treatise on the subject of the peaceful settlement of international disputes. Its distribution among the teachers of international law has seemed particularly happy, for a large number of professors have replied that they are greatly interested in the subject and will use the book, not only as a reference book for their students, but for work in the classroom.

Respectfully submitted,

JAMES BROWN SCOTT,
Director of the Division of International Law.

WASHINGTON, D. C., October 26, 1912.

REPORT OF THE AUDITOR

THE AMERICAN AUDIT COMPANY

COLORADO BUILDING
WASHINGTON, D. C.

December 10, 1912.

*The Executive Committee,
Carnegie Endowment for International Peace,
Washington, D. C.*

SIRS:

We have audited the accounts and records of the CARNEGIE ENDOWMENT FOR INTERNATIONAL PEACE from November 1, 1911, to October 31, 1912, and submit our report.

The income from the Endowment Fund and other sources has been duly accounted for and expenditures have been regularly authorized and are supported by proper vouchers.

Expenditures to June 30, 1912, have not been uniformly segregated on the books as between charges applicable to allotments for the calendar year 1911 and allotments authorized at meeting of Executive Committee December 14, 1911, for fiscal year ended June 30, 1912. In accordance with the direction of the Executive Committee at the meeting of November 16, 1912, we have considered the appropriations and allotments for the calendar year 1911, as having been made for the fiscal year ended June 30, 1912.

On Saturday, December 7, 1912, Mr. Otto Luebker, Resident Vice-President of The American Audit Company, in company with Mr. George W. Perkins, Chairman of the Finance Committee, and Mr. Robert A. Franks visited the Endowment's depository, and counted and examined the bonds of the Endowment Fund, amounting to \$10,000,000, finding the same on hand and in proper order.

These bonds are all registered in the name of George W. Perkins, Samuel Mather and Robert A. Franks, Finance Committee of the Carnegie Endowment for International Peace, as temporary Trustees under Declaration of Trust dated March 28, 1911. These bonds are not endorsed.

We desire to express our appreciation of the courtesies shown us and the assistance rendered, all information being readily obtainable.

Respectfully submitted,

(Seal.)

THE AMERICAN AUDIT COMPANY,

By OTTO LUEBKERT,
Resident Vice-President.

Approved:

F. W. LAFRENTZ,
President.

Attest:

A. F. LAFRENTZ,
Asst. Secretary.

RESOLUTIONS OF BOARD OF TRUSTEES
DECEMBER 12, 1912

RESOLUTIONS OF THE BOARD OF TRUSTEES, DECEMBER 12, 1912

Change of Date of Annual Meeting

Resolved, That Article 2, Section 1, of the By-Laws of the Association be, and it is hereby, amended, by striking out the words "second Thursday of December," and inserting in lieu thereof the words "third Friday of April."

Postponement of Consideration of Requirements for Appropriation

Resolved, That the consideration of the requirements for appropriation for the fiscal year ending June 30, 1914, be, and it is hereby, postponed until the meeting of the Board in April, 1913.

In Memoriam

Albert Keith Smiley, a Trustee of the Carnegie Endowment for International Peace, died at Redlands, California, on December 2, 1912.

A graduate of Haverford College, he was for nineteen years the successful principal of the Friends' School at Providence, Rhode Island.

A member of the Board of United States Indian Commissioners since 1879, he promoted the welfare of our nation's wards by organizing in 1882 the annual conference at Lake Mohonk of the friends and well-wishers of the Indians.

Impressed with the duty of intelligent and organized propaganda for the attainment of international peace through arbitration, he annually since 1895 brought together at Lake Mohonk the leading workers in this cause not only in the United States but from foreign countries as well, and imparted to their conferences a character and dignity which made them an inspiration at home and abroad.

Earnest in purpose, simple in character, sympathetic by nature, unselfish in all relations with his fellowmen, Mr. Smiley was a rare and beautiful type of the American citizen, and his influence and memory will abide with us; therefore be it

Resolved, That the Trustees of the Carnegie Endowment for International Peace, in extending their profound sympathy to the family of Mr. Smiley, hereby record their sense of loss in the work in which we were as trustees associated with him, and bear witness to his devoted, disinterested and life-long service to movements which contribute to the elevation of humanity.

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